

**MINUTES**  
**OF THE**  
**ENVIRONMENTAL PROTECTION COMMISSION**  
**MEETING**  
**JUNE 20, 2005**

**METRO WASTE LANDFILL AUTHORITY**  
**US HWY 163**  
**MITCHELLVILLE, IOWA**

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## MEETING MINUTES

### CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Darrell Hanson at 10:00 a.m. on Monday, June 20, 2005 at the Metro Waste Landfill Authority, Mitchellville, Iowa.

### MEMBERS PRESENT

Suzanne Morrow  
Darrell Hanson, Chair  
Mary Gail Scott  
Jerry Peckumn, Vice Chair  
David Petty  
Donna Buell  
Lisa Davis Cook, Secretary – arrived at 1:25 PM  
Henry Marquard – arrived at 11:00 AM  
Francis Thicke

### ADOPTION OF AGENDA

*Motion was made by Donna Buell to approve the agenda as presented. Seconded by Mary Gail Scott. Motion carried unanimously.*

APPROVED AS PRESENTED

### APPROVAL OF MINUTES

*Motion was made by Jerry Peckumn to approve the minutes of the May 16<sup>th</sup>, 2005 meeting as presented. Seconded by Donna Buell. Motion carried unanimously.*

APPROVED AS PRESENTED

### DIRECTOR'S REPORT

Liz Christiansen informed the Commission that Jeff Vonk will not be attending today.

INFORMATIONAL ONLY

### SOLID WASTE ALTERNATIVES PROGRAM – RECOMMENDATIONS

Jeff Myrom of the Energy and Waste Management Bureau presented the following item.

The Department received 32 proposals, requesting \$3.8 million in financial assistance, for consideration during the April 2005 round of funding. Fourteen (14) projects were selected for

funding or additional consideration. If approved they will receive \$889,421 in a combination of forgivable loans and zero interest loans and three-percent (3%) loans.

The review committee consisted of five persons representing the Energy and Waste Management Bureau (Jennifer Reutzel & Monica Stone), Iowa Society of Solid Waste Operations (Sara Bixby), Iowa Recycling Association (Machele Henderson), and the Iowa Waste Exchange (Fred Kesten).

The table below summarizes recommendations by applicant and project type and by the type of award.

<b>Recommended By Applicant Type</b>	<b># Awards</b>	<b>Award Amount</b>	<b>Forgivable Portion</b>	<b>Loan</b>
Local Government	3	\$221,064	\$47,520	
Private For Profit	7	\$574,357	\$89,980	
Private Not For Profit	4	\$94,000	\$65,000	
<b>Recommended By Project Type</b>	<b># Awards</b>	<b>Award Amount</b>	<b>Forgivable Portion</b>	<b>Loan</b>
Best Practices	8	\$757,921	\$100,000	
Market Development	1	\$29,980	\$29,980	
Education	5	\$101,520	\$72,520	
<b>Type of Award</b>	<b># Awards</b>	<b>Award Amount</b>	<b>Forgivable Portion</b>	<b>Loan</b>
Forgivable loan only	4	\$62,500	\$62,500	
Forgivable and 0% loan only	7	\$532,921	\$140,000	
Forgivable, 0%, and 3% interest loan	0	\$0	\$0	
0% interest loan only	1	\$94,000	\$0	
3% interest loan only	2	\$200,000	\$0	

At this time, the Department is requesting Commission approval to enter into contracts with selected applicants whose awards will be in excess of \$25,000 subject to satisfactory review of additional requested information, review of business plans, negotiation of budget, match, deliverables, and other requested information.

A description of each recommended project, the project type, the amount and type of funding assistance is attached followed by a description of other proposals received but not recommended for funding.

**PROPOSAL RECOMMENDATIONS – APRIL 2005**

The Department received thirty-two (32) proposals, requesting \$3.8 million in financial assistance, for consideration during the April 2005 round of funding. Fourteen (14) projects were selected for funding or additional consideration. If all are approved they will receive \$889,421 in a combination of forgivable loans, zero interest loans and three-percent (3%) loans.

The following provides a description of each project, the project type, and the amount and type of funding assistance. The descriptions are organized as projects above \$25,000, those \$25,000 and below, and proposals received but not selected.

**PROPOSAL RECOMMENDATIONS: ABOVE \$25,000****BEST PRACTICES PROJECTS**

<b>Woodbury County Area Solid Waste Agency</b> <b>2210 Ida Avenue</b> Moville, IA 51039	<b>Forgivable Loan: \$20,000</b> <b>Zero Interest Loan: \$105,700</b> <b>3% Interest Loan: \$0</b> <b>Total Award Amount: \$125,700</b>
	<b>Cash Match: \$42,400</b> <b>In-Kind Match: \$413,300</b> <b>Local Match: \$455,700</b>
	<b>Total Project Cost: \$581,400</b>
<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	<b>Woodbury County Recycling Program Expansion</b> Nancy Countryman Phone: 712-873-3837 Best Practices Local Government Applicant proposes to expand its existing recycling program to include convenient collection of recyclables from businesses, institutions and schools. Funds will go towards the purchase of recycling collection bins for residents, schools and businesses; trailers for drop-off collection; and a skid loader and horizontal baler for processing. A recycling outreach/education campaign will also be a part of the project. Landfill diversion is projected to significantly increase the 350 tons of material currently recycled per year.
<b>Target Area:</b>	The Woodbury County Area Solid Waste Planning Area, including rural Woodbury County and the Cities of Anthon, Bronson, Correctionville, Cushing, Danbury, Lawton, Moville, Oto, Pierson, Salix, Sergeant Bluff, and Sloan.

<b>All Star Feeds</b> <b>Box 343</b> <b>Hwy. 136 North</b> <b>Dyersville, IA 52040</b>	<b>Forgivable Loan:</b> <b>\$0</b> <b>Zero Interest Loan:</b> <b>\$94,000</b> <b>3% Interest Loan</b> <b><u>\$0</u></b> <b>Total           Award</b> <b>\$94,000</b> <b>Amount:</b>
	<b>Cash Match:</b> <b>\$41,000</b> <b>In-Kind Match:</b> <b>\$53,500</b> <b>Local Match:</b> <b>\$94,500</b>
	<b>Total Project Cost:</b> <b>\$188,500</b>
<b>Project Title:</b>	<div>Diversion and Reprocessing of Waste Diatomaceous Earth into Saleable Fertilizer</div>
<b>Contact:</b>	<div>Clete Engelken                   Phone: 563-875-7692</div>
<b>Project Type:</b>	<div>Best Practices</div>
<b>Applicant:</b>	<div>Private For Profit</div>
<b>Description:</b>	<div>Applicant requests funds to establish large scale production of a natural fertilizer for agricultural and lawn care products. Production of the fertilizer will utilize waste diatomaceous earth (DE), an organic wastestream currently being landfilled. Funds will be used to build a hoop building addition onto the applicant's existing facility, which will then offer the capacity to process 100% of the generated waste DE. Estimated landfill diversion will be approximately 700 tons annually.</div>
<b>Target Area:</b>	<div>Dubuque, Clayton, Delaware and Jackson Counties</div>

  

<b>Electrolux Home Products, Inc.</b> <b>400 Des Moines Street</b> <b>Webster City, IA 50595-1407</b>	<b>Forgivable Loan:</b> <b>\$20,000</b> <b>Zero Interest Loan:</b> <b>\$55,652</b> <b>3% Interest Loan</b> <b><u>\$0</u></b> <b>Total Award Amount:</b> <b>\$75,652</b>
	<b>Cash Match:</b> <b>\$25,218</b> <b>In-Kind Match:</b> <b>\$50,434</b> <b>Local Match:</b> <b>\$75,652</b>
	<b>Total Project Cost:</b> <b>\$151,304</b>
<b>Project Title:</b>	<div>Plastics and Corrugated Recycling</div>
<b>Contact:</b>	<div>Tom Lawless                   Phone: 515-832-5334</div>
<b>Project Type:</b>	<div>Best Practices</div>
<b>Applicant:</b>	<div>Private For Profit</div>
<b>Description:</b>	<div>Applicant proposes to establish a plant-wide comprehensive</div>



	recycling program to capture all cardboards and plastics (mixed and film) generated throughout the facility. Currently a vast majority of these materials are being landfilled. Funds will be used for the purchase of balers and hoppers to be strategically located throughout the facility. Conservative estimates suggest that nearly 1,000 tons of material will be diverted from the local landfill per year.
<b>Target Area:</b>	Webster City Electrolux facility

T&W Grinding P.O. Box 254 Delhi, IA 52223	<b>Forgivable Loan:</b> \$0 <b>Zero Interest Loan:</b> \$0 <b>3% Interest Loan:</b> <u>\$100,000</u> <b>Total Award Amount:</b> \$100,000
	<b>Cash Match:</b> \$350,000 <b>In-Kind Match:</b> \$0 <b>Local Match:</b> \$350,000 <b>Total Project Cost:</b> \$450,000
<b>Project Title:</b>	Custom Compost Services
<b>Contact:</b>	Lee Wilson Phone: 563-922-2651
<b>Project Type:</b>	Best Practices
<b>Applicant:</b>	Private For Profit
<b>Description:</b>	Applicant proposes to increase capacity and efficiency of their custom composting business through the purchase of a new grinder. The new grinder will allow for increased capability and better quality grinding of yard waste material, thus better serving T&W clientele. It will also give them a better opportunity to grow their customer base. T&W Grinding currently perform customized composting services for small-to-medium sized municipalities and contractors who cannot always afford the capital expense of purchasing their own composting equipment. Their efforts assist in making composting a viable alternative to open burning.
<b>Target Area:</b>	Eastern half of the state of Iowa

City of Manchester 208 E. Main Street Manchester, IA 52057	<b>Forgivable Loan:</b> \$20,000 <b>Zero Interest Loan:</b> \$67,843 <b>3% Interest Loan:</b> <u>\$0</u> <b>Total Award Amount:</b> \$87,843
	<b>Cash Match:</b> \$29,282 <b>In-Kind Match:</b> \$94,825 <b>Local Match:</b> \$124,107 <b>Total Project Cost:</b> \$211,950

**Project Title:** City of Manchester Yard and Tree Waste Compost Center  
**Contact:** Larry J. Schmidt Phone: 563-927-4011  
**Project Type:** Best Practices  
**Applicant:** Local Government  
**Description:** Applicant proposes to re-establish the city composting site to a location outside of the Maquoketa River floodway. The award will allow for the facility to be reconstructed by funding the construction and material purchase for the rebuild. Manchester's current compost facility is considered a model facility for other similarly-sized municipalities. The new facility will have increased capacity for yard waste, and the materials accepted will potentially be broadened to include some types of compostable construction waste. Finished compost will be made available to City of Manchester residents, with the goal to expand availability to Delaware County in the future.

**Target Area:** City of Manchester, with potential regional expansion

**Eastern Iowa Construction**  
**2254 5<sup>th</sup> Avenue**  
**Marion, IA 52302**

**Forgivable Loan:** \$0  
**Zero Interest Loan:** \$0  
**3% Interest Loan:** \$100,000  
**Total Award Amount:** \$100,000

**Cash Match:** \$174,000  
**In-Kind Match:** \$502,170  
**Local Match:** \$676,170  
**Total Project Cost:** \$776,170

**Project Title:** Construction and Demolition Waste Recycling  
**Contact:** Jennifer Bleeker Phone: 319-373-5549  
**Project Type:** Best Practices  
**Applicant:** Private For Profit  
**Description:** Applicant proposes to purchase equipment to increase capacity of their C&D recycling service. Currently, the roofing removal and replacement business recycles waste asphalt shingles generated from job sites through grinding the material for use as a flame retardant mulch, base product for driveways, commercial parking lots and walking trails, etc. Demand for the recycled content product is increasing, as is the demand for their job site C&D recycling service. With new equipment, additional landfill diversion is projected to increase by 1,000 tons in the first year, up to an additional 5,000 tons after 5 years.

**Target Area:** State of Iowa

<b>Tom Van Leeuwen</b> <b>721 2<sup>nd</sup> Street</b> <b>Hull, IA 51239-0434</b>	<b>Forgivable Loan: \$20,000</b> <b>Zero Interest Loan: \$116,625</b> <b>3% Interest Loan <u>\$0</u></b> <b>Total Award Amount: \$136,625</b>
	<b>Cash Match: \$136,625</b> <b>In-Kind Match: \$0</b> <b>Local Match: \$136,625</b>  <b>Total Project Cost: \$273,250</b>
<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	All-Glass Recycling Service (AGRS) Tom Van Leeuwen      Phone: 712-470-1282 Best Practices Private For Profit Applicant proposes to establish a glass recycling business through collection of auto windshields and other waste glass products. The material would then be processed into crushed aggregate. End markets will utilize the recycled glass in a variety of products, including decorative landscape stone, countertops, and light-reflective blocks. Funds will be used to purchase a glass crusher and supporting equipment and to remodel an existing building for use. Projected landfill diversion could approach 1,000 tons per year.
<b>Target Area:</b>	State of Iowa

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<b>Snyder Product Control</b> <b>3207 Ashworth Road</b> Waukee, IA 50263	<b>Forgivable Loan: \$20,000</b> <b>Zero Interest Loan: \$16,100</b> <b>3% Interest Loan <u>\$0</u></b> <b>Total Award Amount: \$36,100</b>
	<b>Cash Match: \$26,500</b> <b>In-Kind Match: \$15,500</b> <b>Local Match: \$42,000</b>  <b>Total Project Cost: \$78,100</b>
<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	Introduction of Tank Gauge Stick Squeegee Larry L. Snyder      Phone: 515-480-7691 Best Practices Private For Profit Applicant requests funds to enable commercial production of a newly patented tool designed to reduce the amount of gasoline-contaminated towel entering Iowa landfills. The device will self-clean after measuring fuel or diesel levels in underground storage tanks. Funds would be used for manufacturing of the molds for tool production, packaging and distribution, and marketing materials.

	Estimated diversion numbers indicate roughly 2,800 gallons of fuel would be kept from contaminating Iowa landfills through disposal of contaminated towels/rags.
<b>Target Area:</b>	State of Iowa

## EDUCATION PROJECTS

<b>Center on Sustainable Communities</b>		<b>Forgivable Loan:</b>	<b>\$20,000</b>
<b>1065 Browns Woods Drive</b>		<b>Zero Interest Loan:</b>	<b>\$20,000</b>
<b>West Des Moines, IA 50265</b>		<b>3% Interest Loan</b>	<b>\$0</b>
		<b>Total Award Amount:</b>	<b>\$40,000</b>
		<b>Cash Match:</b>	<b>\$10,500</b>
		<b>In-Kind Match:</b>	<b>\$29,500</b>
		<b>Local Match:</b>	<b>\$40,000</b>
		<b>Total Project Cost:</b>	<b>\$80,000</b>
<b>Project Title:</b>	Center on Sustainable Communities Executive Director Position and Office Establishment		
<b>Contact:</b>	Lynnae Hentzen Phone: 515-285-2845		
<b>Project Type:</b>	Education		
<b>Applicant:</b>	Private Not For Profit		
<b>Description:</b>	Applicant proposes to further develop their non-profit organization, geared towards promotion of residential green building practices in central Iowa, by establishing a permanent, part-time Executive Director position and establishing an office/resource center. Funds towards this purpose would allow the organization to better serve as a resource to homeowners, building professionals and the community at large, in promoting sustainable design, recycled-content building products and materials, sustainable landscaping, and construction and demolition recycling. Applicant plans include holding workshops and training, development of a website, and speaking engagements at building professional and homeowner association meetings.		
<b>Target Area:</b>	Des Moines Metro Area and Central Iowa		

<b>Greater Des Moines Habitat for Humanity</b>		<b>Forgivable Loan:</b>	<b>\$20,000</b>
<b>P.O. Box 716</b>		<b>Zero Interest Loan:</b>	<b>\$9,000</b>
<b>Des Moines, IA 50303</b>		<b>3% Interest Loan</b>	<b>\$0</b>
		<b>Total Award Amount:</b>	<b>\$29,000</b>
		<b>Cash Match:</b>	<b>\$25,700</b>
		<b>In-Kind Match:</b>	<b>\$3,300</b>
		<b>Local Match:</b>	<b>\$29,000</b>

<b>Total Project Cost:</b>		<b>\$58,000</b>
<b>Project Title:</b>	Habitat ReStore Educational Outreach Program	
<b>Contact:</b>	Mark L. Elliott	Phone: 515-471-8686
<b>Project Type:</b>	Education	
<b>Applicant:</b>	Private Not For Profit	
<b>Description:</b>	Applicant proposes to expand their community outreach and education on recycling/reuse of usable C&D materials by conducting a focused public awareness campaign on the environmental impacts of C&D waste. The applicant also plans to specifically target builders and manufacturers in the Central Iowa area to encourage professional participation in the ReStore's material reuse mission. Funds requested will go towards the promotional costs of carrying out this campaign, as well as towards the purchase of a security camera to help curb the illegal dumping issues currently facing the store.	
<b>Target Area:</b>	Central Iowa	

## MARKET DEVELOPMENT PROJECTS

<b>MaxYield Cooperative</b>		<b>Forgivable Loan:</b>	<b>\$29,980</b>
P.O. Box 49		<b>Zero Interest Loan:</b>	<b>\$0</b>
12 1 <sup>st</sup> Avenue SE		<b>3% Interest Loan</b>	<b>\$0</b>
West Bend, IA 50597		<b>Total Award Amount:</b>	<b>\$29,980</b>
<b>Cash Match:</b>			<b>\$7,500</b>
<b>In-Kind Match:</b>			<b>\$92,500</b>
<b>Local Match:</b>			<b>\$100,000</b>
<b>Total Project Cost:</b>			<b>\$129,980</b>
<b>Project Title:</b>	Bulking Agent Evaluation and Market Research		
<b>Contact:</b>	John Norwood	Phone:	515-556-9765
<b>Project Type:</b>	Market Development/Education		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant proposes to undertake a study of proposed composting technologies and estimate bulking agent requirements and sources for use in the development of a community-based anaerobic digester and composting project in Whittemore, IA. In October 2004 the applicant and their partners received a USDA Rural Development Value-Added producer grant to complete a feasibility study and develop a business operations plan for a manure management facility for the community. Development of a composting plan to assist in the new manure management recovery approach would		

lead to a projected ability to utilize 10,000 to 25,000 tons of waste carbon-based bulking material, in addition to creating a value-added product out of an animal waste product.

**Target Area:** North Central Iowa (Kossuth and surrounding counties)

### **PROPOSAL RECOMMENDATIONS: \$25,000 AND BELOW**

### **EDUCATION PROJECTS**

Union County Landfill Commission  
1774 Lark Avenue  
P.O. Box 227  
Creston, IA 50801

**Forgivable Loan:** \$7,520  
**Zero Interest Loan:** \$0  
**3% Interest Loan:** \$0  
**Total Award Amount:** \$7,520

**Cash Match:** \$4,300  
**In-Kind Match:** \$5,575  
**Local Match:** \$9,875

**Total Project Cost:** \$17,395

**Project Title:**

Union County Landfill/Prairie Solid Waste C&D Recycling Education Project

**Contact:**

Leslie Goldsmith Phone: 641-347-5022

**Project Type:**

Education

**Applicant:**

Local Government

**Description:**

Applicant proposes to undertake Phase I of a two-phased construction and demolition debris study for Union Co. Landfill/Prairie Solid Waste Agency. Goals of the study are to undertake a comprehensive educational campaign to reduce the amount of C&D debris landfilled, to determine the availability of area markets for recycling C&D material, and to determine potential policy changes necessary to support the reduction goal. Because the Union Co. landfill serves a rural county population, results of the educational effort will be able to serve as a case study for other rural landfills that are struggling to divert C&D material and trying to build viable recycling/reuse markets for the material.

**Target Area:** Adams, Taylor and Union Counties

Iowa Valley Community College District 3702 South Center Street Marshalltown, IA 50158	<b>Forgivable Loan:</b> \$20,000 <b>Zero Interest Loan:</b> \$0 <b>3% Interest Loan:</b> \$0 <b>Total Award Amount:</b> \$20,000
	<b>Cash Match:</b> \$6,681 <b>In-Kind Match:</b> \$44,806 <b>Local Match:</b> \$51,487  <b>Total Project Cost:</b> \$71,487
<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	Education Grant Proposal Jean Brownlie Phone: 641-752-4645 Education Private Not For Profit Applicant proposes to undertake an education campaign on e-waste recycling that will target Spanish-speaking residents of the community. This will be accomplished through the development and dissemination of e-waste education information in both Spanish and English, as well as the development and delivery of community presentations on proper e-waste disposal in both Spanish and English. The applicant will work closely with the established local e-waste recycler, Phoenix E-Waste Solutions, as well as with the local community college to deliver this information. The ultimate goal of the project will be to increase the amount of e-waste diverted from the landfill by providing e-waste recycling information that is accessible to all community residents
<b>Target Area:</b>	Marshall County and the Iowa Valley Community College District

  

Des Moines Freecycle™ Network/Iowa Recycling Association 2742 SE Market Street Des Moines, IA 50317	<b>Forgivable Loan:</b> \$5,000 <b>Zero Interest Loan:</b> \$0 <b>3% Interest Loan:</b> \$0 <b>Total Award Amount:</b> \$5,000
	<b>Cash Match:</b> \$2,600 <b>In-Kind Match:</b> \$19,325 <b>Local Match:</b> \$21,925  <b>Total Project Cost:</b> \$26,925
<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	Freecycle at the Fair Dewayne Johnson Phone: 515-265-1596 Education Private Not For Profit Applicant proposes to establish a booth at the 2005 Iowa State Fair to expand the number of participants diverting material from the landfill through Freecycle™. Freecycle is a community waste

reduction email listserv that facilitates landfill diversion of unwanted items by connecting people who would otherwise throw away those items with other people seeking the same item. Participation in the listserv is absolutely free, and all items being offered through the listserv must be free as well. Currently there are 36 Freecycle networks serving communities across the state, with a total of 9,100 participants between them. Goals of the State Fair project are to increase Freecycle membership by 5,000 members, and to track the amount of material diverted through the state's Freecycle networks for 4 weeks following the conclusion of the Fair to gauge outreach success.

**Target Area:** State of Iowa

### **PROPOSALS RECEIVED, NOT RECOMMENDED**

<b>Shred-Master, Inc.</b> <b>1611 310<sup>th</sup> Street</b> <b>Ryan, IA 52330</b>	<b>Total Amount Requested:      \$144,000</b>
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<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	On-Site Document Destruction Program Jim Scheffert <b>Phone:</b> 563-932-2168 Best Practices Private For Profit Applicant requested funds for purchase of a second on-site document destruction truck (with all shredded material going to a recycling center).
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<b>Tenco Industries</b> <b>710 Gateway Drive</b> <b>Ottumwa, IA 52501</b>	<b>Total Amount Requested:      \$19,860</b>
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<b>Project Title:</b> <b>Contact:</b> <b>Project Type:</b> <b>Applicant:</b> <b>Description:</b>	Computer Recycling Cindy Reed Shull <b>Phone:</b> 641-682-8114 Best Practices Private Not For Profit Applicant requested funds to continue area marketing and outreach to grow their vocational computer recycling/refurbishing program
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<b>Plum Enterprizes</b> <b>4536 West Euclid Avenue</b> <b>Des Moines, IA 50310</b>	<b>Total Amount Requested:      \$85,500</b>
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<b>Project Title:</b>	On-Site Grinding of C&D for Reuse/Recycle
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<b>Contact:</b>	Clint or Jann Graham	<b>Phone:</b>	515-271-5028
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant requested funds for purchase of a grinder to be used for on-site grinding of construction waste at building construction sites. The recycled ground construction material would then be land-applied as a soil amendment on-site.		

<b>Winnebago Industries</b>		<b>Total Amount Requested:</b>	<b>\$20,000</b>
<b>605 West Crystal Lake Road</b>			
<b>Forest City, IA 50436</b>			
<b>Project Title:</b>	2005 Winnebago Resurfacing		
<b>Contact:</b>	Karen White	<b>Phone:</b>	641-585-6916
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant requested funds to finance the crushing of stockpiled waste asphalt taken from in-plant roadways and reuse the material as gravel surfacing in designated areas throughout the plant.		

<b>Soil Tek</b>		<b>Total Amount Requested:</b>	<b>\$231,250</b>
		Custom Compost Blending – A Recipe for Successful Market	
<b>Project Title:</b>	Development		
<b>Contact:</b>	Tom Truelsen	<b>Phone:</b>	515-208-5171
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant requested funds for purchase of land and equipment, and for construction of a building, geared towards establishing a custom compost blending operation at their Des Moines business facility.		

<b>Anamosa State Penitentiary</b>		<b>Total Amount Requested:</b>	<b>\$141,291</b>
<b>406 North High</b>			
<b>Anamosa, IA 52205</b>			
<b>Project Title:</b>	Anamosa State Penitentiary Composting Project		
<b>Contact:</b>	Greg Wagner	<b>Phone:</b>	319-462-3504, ext. 2295
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Local Government		
<b>Description:</b>	Applicant requested funds to re-establish a successful food waste composting facility initially constructed in 1998. The facility was destroyed by fire in January 2005.		

<b>Rock Hard Concrete Recycling</b> <b>P.O. Box 217</b> <b>West Branch, IA 52358</b>	<b>Total Amount Requested:        \$141,250</b>
<b>Project Title:</b> Mobile Concrete Recycling Service: Phase II <b>Contact:</b> Dean Pedersen <b>Phone:</b> 319-627-2315 <b>Project Type:</b> Best Practices <b>Applicant:</b> Private For Profit <b>Description:</b> Applicant requested funds for the purchase of additional equipment to expand their mobile concrete recycling business.	
<b>Imagine Recreating Mt. Union</b> <b>208 East Kneen St.</b> <b>Mt. Union, IA 52644</b>	<b>Total Amount Requested:        \$7,500</b>
<b>Project Title:</b> Eagle's Landing Park <b>Contact:</b> Kimberly Fenton <b>Phone:</b> 319-865-3114 <b>Project Type:</b> Best Practices <b>Applicant:</b> Private Not For Profit <b>Description:</b> Applicant requested funds for the purchase of recycled rubber playground cover for the local city park.	
<b>Maharishi Vedic City</b> <b>1973 Grand Drive</b> <b>Maharishi Vedic City, IA 52556</b>	<b>Total Amount Requested:        \$30,000</b>
<b>Project Title:</b> Maharishi Vedic City – Household Waste Training I <b>Contact:</b> Dr. Kent Boyum <b>Phone:</b> 641-470-7000 <b>Project Type:</b> Education/Best Practices <b>Applicant:</b> Local Government <b>Description:</b> Applicant requested funds for the research and development of training materials and community classes on proper handling and disposal of household hazardous materials.	
<b>Crossroads of Western Iowa</b> <b>One Crossroads Place</b> <b>Missouri Valley, IA 51555</b>	<b>Total Amount Requested:        \$128,123</b>
<b>Project Title:</b> Crossroads Recycling <b>Contact:</b> David Lovell <b>Phone:</b> 712-642-4114 <b>Project Type:</b> Best Practices <b>Applicant:</b> Private Not For Profit <b>Description:</b> Applicant requested funds to establish the Harrison County recycling center at the applicant's Missouri Valley facility. Funds	

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would be used for the purchase of equipment as well as for completion of facility modifications.

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**Siouxland Energy**  
**3713 E. Gordon Drive**  
**Sioux City, IA 51106**

**Total Amount Requested:        \$242,950**

**Project Title:**        Tire Mitigation  
**Contact:**             Nick Corey                    **Phone:**    1-800-383-2046  
**Project Type:**        Best Practices  
**Applicant:**           Private For Profit  
**Description:**        Applicant requested funds to retrofit and improve an existing Tire Mitigation prototype apparatus, allowing the Mitigation Unit to adapt to current electricity generation systems to produce energy.

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**R. Alexander Associates**  
**1212 Eastham Drive**  
**Apex, NC 27502**

**Total Amount Requested:        \$61,100**

**Project Title:**        Iowa Compost Product Development  
**Contact:**             Ron Alexander                **Phone:**    919-367-8350  
**Project Type:**        Market Development  
**Applicant:**           Private For Profit  
**Description:**        Proposed to conduct compost product development and market enhancement activities to expand the use of Iowa compost.

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**Spectrum Resources**  
**1700 Keosauqua Way**  
**Des Moines, IA 50314-1834**

**Total Amount Requested:        \$316,269**

**Project Title:**        Deconstruction and Diversion  
**Contact:**             Jerald C. Brantley            **Phone:**    515-288-1248  
**Project Type:**        Best Practices/Education/Market Development  
**Applicant:**           Private Not For Profit  
**Description:**        Applicant requested funds to establish their nonprofit agency, specializing in the certification and training of journeymen carpenters in the Des Moines Metro area. Funds intended for pursuit of residential demolition projects for deconstruction and development of a deconstruction training and certification program for the agency's carpenters.

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<b>Seedorff Masonry Industries Co.</b> <b>(SMlco)</b> <b>201 12<sup>th</sup> Street West</b> <b>Cresco, IA 52136</b>	<b>Total Amount Requested:        \$78,000</b>
<b>Project Title:</b> SMlco Pallet Recycling Wood Mulch Expansion <b>Contact:</b> Chuck Burke <b>Phone:</b> 563-547-3932 <b>Project Type:</b> Best Practices <b>Applicant:</b> Private For Profit <b>Description:</b> Applicant requested funds for purchase of a grinder to expand their pallet recycling wood mulch program (doubling their current processing capacity).	
<b>MidAmerica Housing Partnership</b> <b>3351 Square D Drive SW</b> <b>Cedar Rapids, IA 52404</b>	<b>Total Amount Requested:        \$251,117</b>
<b>Project Title:</b> EcoYouth Salvage Center <b>Contact:</b> Mary Schoen-Clark <b>Phone:</b> 319-365-6247 <b>Project Type:</b> Best Practices <b>Applicant:</b> Private Not For Profit <b>Description:</b> Applicant requested funds for re-establishment of their nonprofit agency, which specializes in salvaging used or overstocked building materials for resale to the general public, reuse in MidAmerica Housing Partnership properties, or for delivery to a recycling center for processing.	
<b>Barker Lemar Engineering Consultants</b> <b>1801 Industrial Circle</b> <b>West Des Moines, IA 50265</b>	<b>Total Amount Requested:        \$17,500</b>
<b>Project Title:</b> Iowa Transfer Station and Citizens Convenience Center Training Material <b>Contact:</b> David Cretors <b>Phone:</b> 515-256-8814 <b>Project Type:</b> Education <b>Applicant:</b> Private For Profit <b>Description:</b> Applicant requested funds to develop comprehensive training materials for transfer station and citizen convenience center operators in Iowa.	
<b>Blue Sky Disposal, Inc.</b> <b>326 W. 17<sup>th</sup> Street</b> <b>Waterloo, IA 50701</b>	<b>Total Amount Requested:        \$173,000</b>
<b>Project Title:</b> Landfill Diversion Project	

<b>Contact:</b>	David Severson	<b>Phone:</b>	319-226-4665
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant requested funds to establish a recycling operation at their facility. The facility would be used for processing of recyclable materials collected from job sites in addition to serving as a public recycling drop-off center.		

<b>GreenMan Technologies</b>		<b>Total Amount Requested:</b>	<b>\$589,131</b>
<b>1914 East Euclid Avenue, Building A</b>			
<b>Des Moines, IA 50313</b>			
<b>Project Title:</b>	The One-Inch Quality Enhancement Project		
<b>Contact:</b>	Mark Maust	<b>Phone:</b>	952-808-3414
<b>Project Type:</b>	Best Practices		
<b>Applicant:</b>	Private For Profit		
<b>Description:</b>	Applicant requested funds for purchase of a new granulator system that would be capable of processing scrap tires into a smaller, more highly demanded particle size.		

Brian Tormey gave a brief update and history on the program.

*Motion was made by Donna Buell to approve the contract as presented. Seconded by Jerry Peckumn. Motion carried unanimously.*

Darrell Hanson abstained from voting due to a working relationship with the City of Manchester.

**APPROVED AS PRESENTED**

## **NOTICE OF INTENDED ACTION - AMENDMENTS TO CHAPTER 136, FINANCIAL RESPONSIBILITY REQUIREMENTS FOR UNDERGROUND STORAGE TANKS**

Jim Humeston, Supervisor of the Underground Storage Tank Section presented the following item.

The department is requesting permission to proceed with the rulemaking process and publish a Notice of Intended Action to amend Chapter 136 "Financial Responsibility Requirements for Underground Storage Tanks." The rules were presented for information at the March 2005 meeting. After meeting with stakeholders, some changes were made. The amendments add clarification, amend citations and add new requirements.

The following is a summary of the proposed amendments to the rules:

**136.1(2) and (5) Applicability.**

- Rules amended to remove outdated wording.

**136.6(3) Financial test of self-assurance.**

- Subrule has been revised to clearly state the requirements that must be met for self-insurance. There has been some confusion about having to meet all four requirements.

**136.8 Insurance and risk retention group coverage.**

- Requirement added for insurers to notify the insured and any additional named insured of the six-month extended coverage expiration date in any written cancellation or nonrenewal notice.
- A new paragraph provides that timely notice of a release or claim by the Iowa Department of Natural Resources (Department) as provided in the policy will be considered sufficient notice under the terms of the insurance policy to preserve any coverage that the insured might otherwise have.

**136.18 Cancellation or nonrenewal by a provider of financial assurance.**

- A sentence has been added requiring the notice of termination of claims-made policies to clearly advise the insured and any named additional insured of the effective termination date and the applicable extended coverage period under which a claim must be made to preserve coverage.

**567-136.22(455B) Release from the requirements.**

- Correction made of a rule citation.

Any interested person may submit written comments on the proposed rule amendment on or before Friday, August 12, 2005. Written comments should be sent to the Iowa Department of Natural Resources, Attn: Paul Nelson, Wallace State Office Bldg., Des Moines, Iowa 50319 or by FAX 515-281-8895 or email: [paul.nelson@dnr.state.ia.us](mailto:paul.nelson@dnr.state.ia.us)

A public hearing will be held at 1:00 pm on Tuesday, August 9, 2005 in the Wallace State Office Bldg., 4<sup>th</sup> floor Conference room East, 502 E. 9<sup>th</sup> Street, Des Moines.

*Motion was made by Jerry Peckumn to approve the NOIA – Ch. 136 as presented. Seconded by Francis Thicke. Motion carried unanimously.*

**APPROVED AS PRESENTED**

**AMENDMENTS TO CHAPTER 65 – OPEN FEEDLOT REGULATIONS: TERMINATION OF REGULAR RULE MAKING PROCEEDINGS**

Wayne Gieselman, Division Administrator of Environmental Services presented the following item.

At its November, 2004 meeting the Commission approved the Notice of Intended Action for proposed rules to amend 567 Iowa Administrative Code Chapter 65. The purpose of the amendments was to create a separate division within Chapter 65 for regulations pertaining specifically to open feedlots. Also, Iowa Code Section 459.309 directs the department to follow specified principles if it develops rules establishing design standards for open feedlot basins. The proposed rules established minimum design standards for manure and effluent control structures for open feedlots.

The Notice of Intended Action was published on December 8, 2004 as ARC 3873B. Seven public hearings were held across the state during the first and second weeks of January, 2005 and written comments were received. A small business regulatory analysis was also requested for the rules.

The Iowa Legislature recently passed a bill to provide for the regulation of open feedlot operations. This legislation will require changes in the proposed rules so the statute and rules do not conflict. Due to the need for changes to these amendments and the 180 day requirement for adoption of proposed rules, the Commission is requested to terminate the proposed amendments.

*Motion was made by David Petty to approve termination of the regular rule making procedures for Chapter 65. Seconded by Jerry Peckumn. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **CONTRACT - UNIVERSITY OF NORTHERN IOWA'S (UNI) IOWA WASTE REDUCTION CENTER – SMALL BUSINESS ASSISTANCE PROGRAM**

Jim McGraw, Environmental Program Supervisor in the Program Development Section, Air Quality Bureau presented the following item.

The Department requests Commission approval of a contract amendment in the amount of \$72,226 with University of Northern Iowa's Iowa Waste Reduction Center (IWRC) to continue to allow the Iowa Air Emission Assistance Program (IAEAP) to provide technical assistance to small businesses.

The IAEAP is the technical assistance component of the Small Business Assistance Program. The Small Business Assistance Program is required by Section 507 of the Clean Air Act. The IAEAP assists small businesses with air permitting requirements, emission estimations, and determination of regulatory status and compliance requirements. They also provide small businesses with on-site visitations for compliance and pollution prevention assistance, and information concerning alternative technologies, process changes, procedures and methods of operation that help reduce air pollution.

In June 2004, the Commission approved the original agreement for the period of July 1, 2004 through June 30, 2005. The original agreement was for an amount not to exceed \$415,650, to be paid in monthly payments.

By amending the original agreement, IAEAP will be able to continue to assist small businesses while a new agreement is being negotiated between UNI and the Department for the upcoming fiscal year. The amended agreement extends the original agreement by two months. The term of the amended agreement will end August 31, 2005. The amended agreement also provides for an increase of \$72,226 from the original project amount of \$415,650. The amended agreement allows for total payments not to exceed \$487,876 and continues to provide monthly payments. The agreement is funded through Title V air quality permitting fees.

*Motion was made by Donna Buell to approve the contract with UNI. Seconded by David Petty. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **CONTRACT - LINN COUNTY BOARD OF HEALTH - AIR QUALITY PROGRAM**

Jim McGraw, Environmental Program Supervisor of the Program Development Section, Air Quality Bureau presented the following item.

The Department requests Commission approval of a contract in the amount of \$653,746 with the Linn County Board of Health for the ongoing implementation of the Linn County air quality construction permit, Title V operating permit, and ambient air monitoring programs mandated by the Clean Air Act Amendments of 1990.

The duties of the Linn County Air Quality Division staff include reviewing applications and issuing permits for the construction of new air pollution sources, monitoring ambient air quality, performing inspections; and reviewing and drafting Title V operating permits.

The agreement is for the period of July 1, 2005 through June 30, 2006. The agreement establishes variable payments, totaling \$653,746. This contract is funded by the air contaminant fund, \$492,094, 105 federal grant, \$126,652, and 103 federal grant, \$35,000. Linn County has a funding commitment of \$183,094. This is an increase of \$48,872 from the prior year due to increased costs of salary, benefits, and equipment maintenance.

*Motion was made by Francis Thicke to approve the contract with Linn County Board of Health as presented. Seconded by Donna Buell. Motion carried unanimously.*

**APPROVED AS PRESENTED**



**CONTRACT – POLK COUNTY BOARD OF SUPERVISORS - AIR QUALITY PROGRAM**

Jim McGraw, Environmental Program Supervisor of the Program Development Section, Air Quality Bureau presented the following item.

The Department requests Commission approval of a contract in the amount of \$710,464 with the Polk County Board of Supervisors for the ongoing implementation of the Polk County air quality construction permit, Title V operating permit, and ambient air monitoring programs mandated by the Clean Air Act Amendments of 1990.

The duties of the Polk County Air Quality Division staff include reviewing applications and issuing permits for the construction of new air pollution sources, monitoring ambient air quality, performing inspections; and reviewing and drafting Title V operating permits.

The agreement is for the period of July 1, 2005 through June 30, 2006. The agreement establishes variable payments, totaling \$710,464. This contract is funded by the air contaminant fund, \$499,426, 105 federal grant, \$171,038, and 103 federal grant, \$40,000. Polk County has a funding commitment of \$183, 483. This is an increase of \$1,987 from the prior year due to increased costs of salary and benefits.

*Motion was made by Donna Buell to approve the contract with Polk County Board of Health as presented. Seconded by Jerry Peckumn. Motion carried unanimously.*

**APPROVED AS PRESENTED**

**PROPOSED RULE - CHAPTER 23 – NESHAP UPDATE**

Christine Paulson, Senior Environmental Specialist of the Program Development Section presented the following item.

The attached Notice of Intended Action to amend Chapter 23 “Emission Standards for Contaminants” of the 567 Iowa Administrative Code is being presented to the Commission for information. At the July Commission meeting, approval to proceed with the rulemaking process and publish a notice of intended action on these proposed rule amendments will be requested.

This rulemaking adopts by reference several National Emissions Standards for Hazardous Air Pollutants (commonly known as NESHAPS) which were promulgated by the United States Environmental Protection (EPA) into 40 Code of Federal Regulations (CFR) Part 63 between 1996 and 2003. The department did not adopt these standards in the past because Iowa did not

have source categories subject to the standards at the time. This status has not changed. However, the department has a delegation agreement with EPA specifying that Iowa will adopt all federal NESHAPS. To fulfill this agreement, and to ensure that these federal standards are adopted should subject-sources locate in Iowa in the future, the department is proposing these amendments.

The department is not proposing to adopt any recent amendments to federal standards with this rulemaking. Federal standards amended or corrected through January 10, 2005 were included in the department's last general rulemaking, and were approved to be adopted by the Commission at the May meeting. Federal standards promulgated, amended or corrected after January 10, 2005 will be addressed in the department's next air quality general rulemaking, which is scheduled to begin later this year.

The NESHAPS proposed to be adopted either regulate source categories, or specify air emission control provisions for source categories, as follows:

- ❖ Primary Aluminum Reduction Plants (source category);
- ❖ Tanks – Level 1 (emission control);
- ❖ Containers (emission control);
- ❖ Surface Impoundments (emission control);
- ❖ Individual Drain Systems (emission control);
- ❖ Oil-Water Separators and Organic-Water Separators (emission control);
- ❖ Semiconductor Manufacturing (source category);
- ❖ Taconite Iron Ore Processing (source category); and
- ❖ Primary Magnesium Refining (source category).

Mary Gail Scott asked if this is in alignment with the federal rules.

Christine Paulson said that they are the same, we just don't put all of the federal text into our rules, instead we refer them to the federal standards.

<b>INFORMATIONAL ONLY</b>
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## **PUBLIC PARTICIPATION**

**PETE HAMLIN**, representing MidAmerican Energy said that we are very pleased with the methane recovery program that is in place here at the Metro Waste Landfill. It is part of our renewable portfolio. Over 9% of MidAmerican's generation are renewables and originate in the state of Iowa. As a neighbor, I am pleased with Tom Haddin's work in improving the operations of the landfill, making it one of the best in the country.

**RICH LEOPOLD**, representing the Iowa Environmental Council (IEC) echoed Pete's comments about the Metro Waste facility and Tom Haddin's efforts to make this landfill an example nationwide.

Concerning the water quality standards taking on by the DNR, the IEC has been working on this area since 1994. In 1997, the DNR received clear direction from EPA regarding areas within

Iowa's water quality standards that were out of the compliance of the minimum requirements of the federal Clean Water Act. Those areas are still yet to be changed into compliance. Over a year ago, the IEC joined with other environmental groups including the Sierra Club and Hawkeye Fly Fishing Association to protest what we had decided were the big three issues of great concern. 1) General use stream reclassification 2) Elimination of the illegal protected flow provisions 3) Proper anti-degradation procedures. At that time, we decided to pursue delegation of the program if the DNR and EPA did not act to protect Iowa's waters. After numerous meetings with DNR and EPA, it doesn't appear to be any closer today than a year ago. We have a timeline and work element reports from the DNR, which suggest dealing with these insufficiencies in a timely manner, yet we continue to be delayed. We get words, but little action. The DNR continues to refer to unacceptable economic impacts and continues to search for a more reasonable approach. No! this is a two step process. First, deciding to do it correctly and then figuring out how to do it and how to pay for it. The DNR continues to drag their feet on this process. We in the environmental community do not have much faith that even if the rules do come in July, that they will contain only the minimum requirements of the Clean Water Act to protect Iowa's public waters. We support the warm water protocols being proposed today but this is a small step in the right direction. We need to go much further than this. We can do better and we should do better! Better standards would eliminate dirty water.

**NEILA SEAMAN**, representing the Sierra Club addressed water quality issues. As you review the State Revolving Loan Fund – Intended Use Plan for drinking water today, please keep in mind that based on the data provided to the EPA, Iowa ranks 44<sup>th</sup> in the nation for its percentage of federal drinking water grant funds used for local source water protection plan. Our state also ranks 29<sup>th</sup> among the states for its percentage of federal clean water grants used to protect nonpoint source pollution while the impaired waters list continues to grow. Iowans need to want clean water, whether its for drinking, fishing, swimming or eating the fish they catch. They expect their water to be safe. Since my first day at the Sierra Club, which was 15 months ago, the anti-degradation, general use classification and protected flow compliance timeline continues to get pushed back. While I understand the pressures the DNR maybe experiencing, 30 years is long enough to wait for our state to comply with the federal law. I encourage the commissioners today to please push this forward and ensure clean water for all Iowans.

(A handout of the states rankings for Drinking Water SRF FY04 was distributed to all Commissioners. A copy can be located in the Department's record center at the Wallace building.)

**STEVE VEYSEY**, representing the Hawkeye Fly Fishing Association said that he does not support the warm water protocol in its current form. It fine tunes the use of existing fish in our rivers and streams, and that's all it does. It doesn't assess aquatic life.

Here are some of the things missing from the warm water protocol: 1) It establishes a number of designations. It doesn't what you designate the stream as, I care how you protect it. There is no discussion of what degree of protection will go with a stream. 2) There is no presumption of quality in the protocol. The Clean Water Act requires a reputable presumption that all waters are "fishable" "swimmable", because they don't mean just fishable/swimmable. We ought not to be using the warm water protocol to evaluate every stream in Iowa because of the money we will

spend elevating every stream then decide that no it's not crap it deserves a level of protection. No, we are to presume that all waters are "fishable" and "swimmable", because every water deserves that level of protection and then use the warm water protocol to show that it may need a lower level of protection because of the uses that fishable and swimmable really mean, are not all attainable or all existing. We ought to be making the person who wants to discharge pay for that or make the environmental group that wants additional protection pay for that. I have some serious concerns that what we have in the warm water protocol don't really fix the heart of the problem. There's a link between economic impact and water quality standards that is illegal. You can't use economic impact as a determinate when you are establishing water quality standards. Will these standards reduce the level of pollution coming into our streams or are we simply trying to find a way to restructure the program without heavily reducing pollution?

**DUANE SAND**, with the Iowa Natural Heritage Foundation addressed the Intended Use plan for drinking water – SRF. I do want to direct you to some new developments since that plan was written. As of last Wednesday, Governor Vilsack signed a law (SF200) which creates a \$5 million watershed improvement program. This is significant to the intended use plan because under the category of "State program" where you have the opportunity to fund source water protection for drinking water for drinking water facilities. In the past, the DNR has been unable to do this because of insignificant matching funds. This new bill is a great opportunity to have the matching funds that have been lacking. If you were set aside the maximum allowed, (10% of your cap grants for FY04 and FY 05) you would be able to add an extra \$2 million dollars available for local communities. This is a tremendous opportunity to move the source water protection program forward. You may need to ask Director Gulliford from EPA to waive the work plan details, knowing that work proposals would be coming. You have the opportunity to move from being one of the bottom ten states for your investment in the federal grants in source water protection.

Donna Buell asked if we could still amend the FY04 plan?

Duane Sand said that's what it states in the plan. I would encourage you to set aside enough money so you don't miss out on the watershed improvement grants. The set aside money would be about \$800,000 for FY04 and \$1.5 million for FY05.

-----End of Public Participation-----

## **UNIVERSITY HYGIENIC LABORATORY INTRODUCTION**

Richard Kelley gave a brief background on the history and services of the University of Iowa Hygienic Lab.

In 1904, Iowas public health and environmental lab was staffed by three individuals whose handwritten log reflects testing throughout the state for diseases of the day: typhoid, diphtheria, rabies, and tuberculosis. Today, some 200 individuals work from two labs in Iowa City and at a new facility in Ankeny; their testing results now logged in computer database formats for easy Internet access by partner labs and clients. And while the list of diseases UHL tests for has grown exponentially, including now such national and global maladies as HIV, Lyme disease and West Nile Virus, diseases of the day are certainly not now the singular concern of the

laboratory. Identifying problems before they arise has become a priority for the lab as well: every Iowan under 40 was screened as a newborn for an ever-increasing list of defects and abnormalities. Through that program alone, the University Hygienic Laboratory has touched the lives of nearly two-thirds of residents today. Today the UHL lab runs about 400,000 samples through each year and on those 400,000 samples, a little over one million analysis are made. About 20% of those samples are environmental samples coming in.

The lab tests water, air, soil and just about anything else that may affect the environmental quality or public health. UHL's work with the Iowa Department of Natural Resources provides real-time air quality data, analyzes of state park beaches for bacteria, and water testing for concerned private well owners. The contracts with the department enable DNR and UHL to work together to protect environmental quality.

The Commissioners are invited anytime for a tour of the Ankeny facility.

Tim Hall, Bureau Chief of Geological and Land quality said that we use UHL for a number of our programs. We are continuing to work within the department to have better communications amongst the bureaus with regard to what UHL is doing and combining some of the TMDL monitoring work. We will continue to effectively and efficiently use the money set aside for lab testing.

<b>INFORMATIONAL ONLY</b>
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### **CONTRACT- UNIVERSITY OF IOWA HYGIENIC LAB - AIR QUALITY BUREAU SUPPORT**

Sean Fitzsimmons, Environmental Specialist Senior of the Compliance, Emissions Inventory, and Ambient Air Monitoring Section presented the following item.

The Commission will be asked to approve the attached interagency agreement between the Department and the University of Iowa Hygienic Lab (UHL). The agreement provides UHL support of Air Quality Bureau activities including ambient air monitoring, ambient air modeling, and asbestos sample analysis.

The agreement is for the period of July 1, 2005 through June 30, 2006. The agreement establishes variable payments, totaling \$1,722,382. This contract is funded by the air contaminant fund, \$882,379, federal grant, \$271,139, 103 federal grant, \$379,580, and livestock air monitoring fund, \$189,284. The agreement amount for last year was \$1,651,658. Increases in line items in this year's contract are associated with increased operation and maintenance, personnel, toxics analysis, ion analysis and staff costs. One UHL position was converted to an Air Quality Bureau FTE.

<i>Motion was made by Donna Buell to approve the contract with UHL as presented. Seconded by Jerry Peckumn. Motion carried unanimously.</i>
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<b>APPROVED AS PRESENTED</b>
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**CONTRACT – UNIVERSITY OF IOWA HYGIENIC LABORATORY – BEACH MONITORING FOR 2005**

Eric O'Brien of the Water Monitoring Section, IGSLQ Bureau presented the following item.

The Department requests Commission approval of a \$80,220 contract with the University of Iowa Hygienic Laboratory to conduct beach monitoring for the summer of 2005.

The purpose of this contract is to measure the levels of indicator bacteria present in the water of 37 state-owned beaches and to identify those factors that place beaches at higher risk for fecal contamination. Bacteria will be monitored by the University Hygienic Laboratory from May 16, 2005 through October 31<sup>st</sup> to information on bacteria levels. Those beaches that have never tested high with respect to *E. coli* levels, will undergo a less intensive sampling schedule this year (beginning May 16, but ending at Labor Day).

After five years of sampling enterococci bacteria will no longer be part of the testing at all beaches and instead will be analyzed from a small subset in order to track long term trends. All state park samples and will be measured on a weekly basis. Samples for each beach will be a "composite" or mixture of nine individual samples taken from different points along the beach. Standard field parameters such as dissolved oxygen levels, water turbidity, pH, and water temperature will also be assessed to see if these easily measured parameters provide an "early warning" indication for high bacteria levels.

Continuing from 2004, twenty-eight counties and one city will sample beach areas and submit samples to UHL for analysis. This contract pays for the laboratory analysis and shipping of those samples.

Funding for this contract comes from the Environment First Infrastructure Funds.

## Budget Estimate

DESCRIPTION	FIXED PAYMENT AGREEMENT AMOUNT *	VARIABLE PAYMENT AGREEMENT ESTIMATE **
<b>Analytical Costs - State Park Beaches</b>		
Weekly analysis for E. coli and Enterococci (7 Sites) from composite water samples collected from 23 beaches for 7 weeks (September 12 - October 26, 2005)	\$3,150	
Weekly analysis for E. coli and Enterococci (7 Sites) from composite water samples collected from 37 beaches for 17 weeks (May 16 - September 7, 2005)	\$11,220	
<b>Time and Travel- State Park Beaches</b>		
Personnel	\$21,671	
Travel		\$17,017
<b>Analytical Costs - County Beaches</b>		
Weekly analysis for E. coli from composite water samples collected from 28 beaches for 16 weeks (May 23 - September 7, 2005)		\$6,720
<b>Watershed Sampling to Follow up elevated readings at beaches</b>		\$12,000
<b>Shipping and Handling - County Beaches</b>		
Estimated Shipping - UPS Ground		\$2,500
Column Subtotal	\$36,041	\$38,237
Facilities and Administrative Costs @ 8%	\$2,883	\$3,059
Column Total	\$38,924	\$41,296
<b>COMPLETE COSTS - ESTIMATED</b>	<b>\$80,220</b>	

**Appendix A**  
**State Parks Beaches Monitored**

State Park Beach	County
Backbone Beach	Delaware County
Beeds Lake Beach	Franklin County
Big Creek Beach	Polk County
Black Hawk Beach	Sac County
Brushy Creek Beach	Webster County
Clear Lake Beach	Cerro Gordo County
Crandall's Beach	Dickinson County
Emerson Beach	Dickinson County
Geode Beach	Des Moines County
George Wyth Beach	Black Hawk County
Green Valley Beach	Union County
Gull Point Beach	Dickinson County
Lacey - Keosauqua Beach	Van Buren County
Lake Ahquabi Beach	Warren County
Lake Anita Beach	Cass County
Lake Darling Beach	Washington County
Lake Keomah Beach	Mahaska County
Lake Macbride Beach	Johnson County
Lake Manawa Beach	Pottawattamie County
Lake of Three Fires Beach	Taylor County
Lake Wapello Beach	Davis County
Lewis and Clark Beach	Monona County
McIntosh Woods Beach	Cerro Gordo County
Nine Eagles Beach	Decatur County
Pikes Point Beach	Dickinson County
Pine Lake Beach	Hardin County
Pleasant Creek Beach	Linn County
Prairie Rose Beach	Shelby County
Red Haw Beach	Lucas County
Rock Creek Beach	Jasper County
Springbrook Beach	Guthrie County
Triboji Beach	Dickinson County
Union Grove Beach	Tama County
Viking Lake Beach	Montgomery County



**Appendix B**

## County Beaches

Littlefield Recreation Area
Don Williams Park
Gabrielson Park
Treman Park
Swan Lake State Park
Cold Springs Park
Malone Park
Little River Recreation Area
Spring Lake Park
Briggs Woods Park & Golf Course
Crystal Lake Park
Eldred-Sherwood Recreation Area
Willow Lake Recreation area
Lake Iowa Park
Central Park
Belva-Deer Recreation Area
Pollmiller Park
Lake Pahoja Recreation Area
Oldham Recreation Area
Ocheyedan Pits Recreation Area
Lost Island - Huston Park
Meredith Park
Easter Lake Park
West Lake
Hickory Grove Park
Peterson Park
Lake Cornella Park

Chuck Corell said that the goal of the project is to look at a number of state owned lakes that have had bacteria problems at the beach, use some of this DNA testing to find out the source and then go up in the watershed and see if we can eliminate the source.

Donna Buell asked about county owned beaches.

Eric O'Brien said that we trained all of the counties that wanted to participate in the program. They were trained to do the same sampling protocol as UHL analyst. This is completely voluntary to the counties. Results are available on the DNR website.

*Motion was made by David Petty to approve the contract with UHL. Seconded by Sue Morrow. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## CONTRACT – UNIVERSITY HYGIENIC LABORATORY – IMPAIRED WATERS MONITORING

Chris Van Gorp, Environmental Specialist Senior of the TMDL & WQ Assessment Section, IGSLQ Bureau presented the following item.

The Department requests Commission approval of a contract in the amount of \$631,476 with the University Hygienic Laboratory for water monitoring on impaired waterbodies.

The purpose of this contract is to collect detailed water quality data on impaired waters, for use in the development of water quality restoration plans (TMDLs). While data is available to identify impairments of these waterbodies, specific data needed to help identify current pollutant loads is unavailable. Under this contract, data will be collected to help make this determination.

As part of this contract, UHL will collect data for 17 impaired streams and 18 lakes. Several types of stream monitoring will be conducted, including monthly and event sampling for chemical parameters, and biological sampling for benthic macroinvertebrates, fish, and mussels. The lake sampling includes sampling at 18 lakes and some associated tributaries. In addition, ten of the lakes are being sampled as a follow-up to a completed restoration plan.

In addition to the stream and lake sampling, this contract also includes a survey for Topeka Shiners at approximately 40 sites and an assessment of sediment oxygen demand in four streams. One staff person is also included in the contract to help the TMDL and Water Quality Assessment Section with data compilation and analysis.

Funding for this contract is available from several grants, including CWA Section 319 grant funds, and CWA Section 104(b)3 grant funds.

<b>ESTIMATED AGREEMENT BUDGET --- 2005 TMDL Contract IDNR</b>				
DESCRIPTION	Comments	FIXED PAYMENT AGREEMENT AMOUNT *	VARIABLE PAYMENT AGREEMENT ESTIMATE **	ONE TIME PAYMENTS
<b>Water Quality Monitoring - Streams</b>				
North Raccoon/Raccoon River	10 every-other Thursday samples at 3 sites, 6 events at 4 sites, assist ISA with flow measurements	\$28,341	\$45,073	
Milford Creek	continuous stage at 4 sites for 3 weeks	\$7,935	\$11,927	
Des Moines River	Monthly grab samples and event sampling at Lizard Creek and Boone River	\$11,178	\$13,703	

East Fork Des Moines River	Event sampling at GSB ambient site	\$9,187	\$7,183	
Big Sioux River	Dataloggers and full bioassessment		\$11,912	
Springbrook State Park	Event sampling at 3 sites & King Creek, monthly sampling, 8 Events.	\$13,799	\$44,238	
Maquoketa River	Monthly monitoring at five (5) sites, event monitoring at three (3) sites, datalogger deployment once at one (1) site, continuous stage	\$16,413	\$13,515	
North Fork Maquoketa River	Monthly monitoring at two (2) sites, event monitoring at two (2) sites, datalogger deployment once at two (2) sites, continuous stage	\$10,014	\$8,265	
Black Hawk Creek	Monthly monitoring at seven (7) sites and continuous stage recording at one (1) site.	\$15,273		
Iowa River	Dataloggers at two (2) sites, twice during sampling season	\$1,025		
<b>Stream Bioassessments</b>				
Camp Creek (3 sites)	Bioassessments at each site plus water quality	\$3,698	\$3,698	
Yeader Creek (2 sites)	Bioassessments at each site plus water quality	\$2,234	\$2,234	
Des Moines River/Raccoon Trib. (1 site)	Bioassessments at each site plus water quality	\$1,578	\$1,578	
Iowa River (3 sites)	Bioassessments at each site plus water quality	\$3,392	\$3,392	
Maquoketa River (2 sites)	Bioassessments at each site plus water quality	\$3,450	\$3,450	
Mud Creek (2 sites)	Bioassessments at each site plus	\$3,418	\$3,418	

	water quality			
<b>Rapid Bioassessments - RBPs</b>				
Jordan Creek	One full bioassessment plus 8-12 RBPs	\$3,671	\$3,671	
Dry Run Creek	Two (2) full bioassessments plus 16-24 RBPs	\$2,653	\$2,653	
North Fork Maquoketa River	Two (2) full bioassessments plus 16-24 RBPs	\$2,669	\$2,669	
<b>Sediment Oxygen Demand Assessments</b>				
Mud Creek	SOD Assessments at two (2) sites		\$2,570	
North Fork Maquoketa River	SOD Assessments at two (2) sites		\$2,637	
Little Floyd River	SOD assessment locations to be determined		\$2,898	
Milford Creek	SOD Assessments at four (4) sites		\$4,103	
<b>Topeka Shiner Surveys</b>	Sampling of approx. 40 sites by seining on Iowa River and East Fork of Des Moines River		\$16,000	
<b>Mussel Surveys</b>				
Iowa River (3 sites)	Mussel surveys to be completed at bioassessment sites		\$3,472	
Maquoketa River (2 sites)	Mussel surveys to be completed at bioassessment sites		\$2,471	
<b>Water Quality Monitoring - Lakes</b>				
Lake Ice-out Sampling	Eight (8) lakes sampled one time in March, samples collected from max depth	\$8,406		

Lake Sampling NO TRIBS	Two (2) lakes sampled twice per month at three sites in the lake, June through September	\$21,401		
Lake Sampling with Event Tribs	Three (3) lakes, sampled twice per month at max depth, tribs sampled for up to six (6) events, May through September	\$46,299	\$14,963	
Lake Sampling Follow-up Monitoring	Ten (10) lakes sample once per month in June, July, August at max depth.	\$18,250		
<b>Variable Analytical Needs</b>			\$20,000	
<b>Equipment/Instrumentation</b>	Basic equipment with no repair/replacement costs or spare equipment in case of equipment failure			\$43,152
<b>Miscellaneous Field Equipment As Needed</b>			\$6,000	
<b>Staffing</b>				
Data Management/Data Analysis (1 FTE)	Jennifer Ender	\$48,767	\$2,000	
<b>Sample Shipping</b>			\$2,000	
Sub-totals		<b>\$283,051</b>	<b>\$261,693</b>	<b>\$43,152</b>
Facilities and Administrative Costs @8%		<b>\$22,644</b>	<b>\$20,935</b>	
Totals		<b>\$305,695</b>	<b>\$282,628</b>	
<b>COMPLETE COSTS - ESTIMATED</b>		<b>\$631,476</b>		
*The amounts in this column will be divided up into four quarterly payments. They are not expected to change during the contract period.				

<p>**The amounts in this column are to be billed to the Department on a monthly or quarterly basis. The total amount may change during the contract period. These are only estimates of the final values.</p>				

Donna Buell asked if the DNR has allocated loads on any of the impaired watersheds?

Chris VanGorp said yes, we have to as part of the TMDL. Not to the detail we would like but we have to do a minimum for the point and non-point sources.

Mary Gail Scott asked if there is any information or a database that will help you assess other streams.

Chris Van Gorp said that the stream bio-assessment is always useful. The seven oxygen demand studies will hopefully have more uses than just these four streams. The Iowa Soybean Association has been conducting volunteer monitoring with Des Moines Water Works as a part of Agricultural's Clean Water Alliance. We have coordinated with them so that we're not putting samplers nearby them. We are sharing data.

*Motion was made by Donna Buell to approve the contract with UHL as presented. Seconded by Mary Gail Scott. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **CONTRACT - UNIVERSITY OF IOWA HYGIENIC LAB - ENVIRONMENTAL MONITORING AND LABORATORY SERVICES**

Chuck Corell, Chief of the Water Quality Bureau presented the following item.

The Department requests Commission approval of a contract in the amount of \$436,158 with the University of Iowa Hygienic Lab with the intent of aiding the Director of the Iowa Department of Natural Resources in determining the quality of the environment of the State of Iowa by providing field and laboratory services in support of environmental control programs and summarizing and reporting environmental quality data.

The contract scope of work includes:

- Water Quality Monitoring: Influent and effluent composite samples; fish kill monitoring; emergency response; fish tissue monitoring, and storm water runoff monitoring.
- Water Supply Support: Drinking water and public water supply monitoring.
- Administrative Services: One part-time staff position to develop and implement the Electronic Records Management System
- Water Security: One staff position to provide technical assistance in the identification of risks, potential security weaknesses, threats and cost-effective prioritization of security measures.
- Information & Education: One staff position to perform general public information and public relations work for the agency
- Director's Office: One part-time staff position to represent the Department on various boards and committees and coordinating Department activities involving agriculture with commodity organizations, wildlife groups, environmental organizations, federal and state agencies, and other stakeholder groups.

The University Hygienic Laboratory (UHL) is the State of Iowa's Environmental and Public Health Laboratory. The Department has several contracts with the laboratory to provide analytical and fields services.

This contract is federally funded through the U.S. EPA Performance Partnership Grant. The \$436,158 should be considering an estimate because there are number of variances depending on the number of samples that we receive.

#### Article IX Estimated Budget Agreement

Scope of Work Number	Scope of Work Item		Variable Payment
3.1	Water Security Staff		\$70,467
3.2	Information & Education Staff		\$44,439
3.3	Administrative Services Staff		\$42,489
3.4	Director's Office Staff		\$97,765
<b>Total</b>			<b>\$255,160</b>

Scope of Work Number	Water Sample Identifier	Number of Samples	Fixed Budget	Variable Budget
3.6(1)	03WQCSI	200	\$62,600	
3.6(2)	04WQFS	625	\$55,625	
3.6(3)	05WQFK	Variable		\$3,000

3.6(4)	07WQER	75	\$12,975	
3.6(5)	WQSWR	Variable		\$5,000
3.7(1)	Water Supply Bacteria	Variable		\$1,350
3.7(1)	16WSCOMP	Variable		\$4,250
3.7(1)	17WSTECH	Variable		\$2,890
3.9	WQFT	Variable		\$1,000
<b>Totals</b>			<b>\$131,200</b>	<b>\$17,490</b>

<b>Subtotal</b>	<b>\$403,850</b>
<b>8% Indirects</b>	<b>\$32,308</b>
<b>Total</b>	<b>\$436,158</b>

*Motion was made by David Petty to approve the contract with UHL as presented. Seconded by Donna Buell. Motion carried unanimously.*

**APPROVED AS PRESENTED**

### **CONTRACT - IOWA COOPERATIVE FISH AND WILDLIFE RESEARCH UNIT AT IOWA STATE UNIVERSITY FOR STREAM HABITAT ASSESSMENT**

Tom Wilton of the Water Monitoring Section presented the following item.

The Department requests Commission approval of a contract in the amount of \$66,413 with the Iowa Cooperative Fish and Wildlife Research Unit at Iowa State University for stream habitat assessment. The contract period is from July 1, 2005 – June 30, 2006.

This contract builds upon existing efforts by the Iowa Department of Natural Resources to assess the biological health of Iowa's stream resources. For the past three years, the DNR has been monitoring water chemistry, fish populations, benthic macroinvertebrate populations, and sediment and fish tissue contamination as part of an EPA initiative: The Regional Environmental Monitoring and Assessment Program (REMAP). While stream habitat is also an important component of aquatic system health, it has not been intensively monitored as part of the current program due to labor costs associated with collecting this type of data. The DNR proposes to work with Dr. Clay Pierce of the Iowa Cooperative Fish and Wildlife Research Unit at Iowa



State University to collect stream habitat data. This project will collect the necessary habitat data from randomly selected REMAP sites. This contract represents the second year of a three year project and provides funding for data collection, analysis, and reporting for 52 stream sites.

Objectives of the project include:

1. Quantify stream habitat conditions in 45 sites per year throughout Iowa, representing 2nd-through 5th-order streams and all major ecological subregions.
2. Determine and describe relationships of stream habitat with fish communities, invertebrate communities, stream reach characteristics, land use and ecological subregions.
3. Identify ecoregion, stream reach and land use characteristics associated with good stream habitat conditions.
4. Identify stream habitat characteristics associated with good invertebrate and fish communities.
5. Evaluate and recommend habitat mitigation and rehabilitation alternatives.

The project will use standard EPA protocols for the collection of stream habitat data and therefore ensure compatibility with data collected in surveys from other parts of the United States. Results from these surveys can be joined to form a regional or national assessment that is consistent across geopolitical boundaries.

Funding for this agreement is anticipated to be available from the Water Monitoring Program - Environment First Fund. This contractor was chosen on the basis of specialized expertise in fisheries science and aquatic ecology, and also to maintain continuity and consistency in this second year of the three-year project.

Tom Wilton said that a majority of the streams will be warm water streams.

*Motion was made by Henry Marquard to approve the contract with ISU as presented. Seconded by Mary Gail Scott. Motion carried unanimously.*

Darrell Hanson abstained from voting due to a working relationship with Iowa State University.

**APPROVED AS PRESENTED**

## **CONTRACT – IOWA STATE UNIVERSITY – WETLAND PERFORMANCE MONITORING**

Eric O'Brien of the Water Monitoring Section, IGSLQ Bureau presented the following item.

The Department requests Commission approval of a \$149,972 contract with Dr. William Crumpton to conduct wetland performance monitoring during 2005

The objective of this program is to determine the effectiveness of Iowa wetlands in reducing phosphorus loading to Iowa streams and lakes. The Iowa Department of Agriculture and Land Stewardship is currently providing funding to ISU in a five year project to determine reductions in nitrogen that occur in CREP wetlands. This project builds upon that existing framework to also include phosphorus monitoring. This is an important component in understanding water quality because it is unclear whether wetlands reduce phosphorus loading or in fact may increase phosphorus loading in some situations. The contract covers the following items:

- The contractor will collect water samples and measure flow rates at major inflows and outflows of each selected wetland during the primary period of flow from just after thaw to just before freezing.
- The contractor will analyze inflow and outflow water samples for phosphorous fractions and calculate phosphorous mass balances for each wetland.
- The contractor will collect other ancillary data and information relevant to the cycling of phosphorus in wetlands.
- Contractor will transfer all chemical data results to DNR in electronic form for submittal to the Iowa STORET database.

Funding for this contract comes from the Environment First Infrastructure Funds.

Proposed Budget for 5 Year  
Project

	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	5 yr Total
<b>Salaries &amp; wages</b>						
Research Associate (P&S)	\$69,479	\$71,564	\$73,710	\$75,922	\$78,199	\$368,874
P.I.	\$8,190	\$8,435	\$8,688	\$8,949	\$9,217	\$0
Hourly	\$17,510	\$18,035	\$18,576	\$19,134	\$19,708	\$0
<b>Total Salaries &amp; wages</b>	<b>\$95,179</b>	<b>\$98,034</b>	<b>\$100,975</b>	<b>\$104,004</b>	<b>\$107,124</b>	<b>\$505,317</b>
<b>Benefits</b>						
Research Associate (P&S)	\$21,539	\$22,185	\$22,850	\$23,536	\$24,242	\$114,351
P.I.	\$2,146	\$2,210	\$2,276	\$2,345	\$2,415	\$11,392
<b>Total Benefits</b>	<b>\$23,684</b>	<b>\$24,395</b>	<b>\$25,127</b>	<b>\$25,880</b>	<b>\$26,657</b>	<b>\$125,743</b>
<b>Travel</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$6,000</b>	<b>\$30,000</b>
<b>Materials &amp; Supplies</b>	<b>\$14,000</b>	<b>\$14,000</b>	<b>\$14,000</b>	<b>\$14,000</b>	<b>\$14,000</b>	<b>\$70,000</b>
<b>Total Direct Costs</b>	<b>\$138,863</b>	<b>\$142,429</b>	<b>\$146,102</b>	<b>\$149,885</b>	<b>\$153,781</b>	<b>\$731,059</b>
<b>Indirect Costs</b> (@ 8% of direct costs)	<b>\$11,109</b>	<b>\$11,394</b>	<b>\$11,688</b>	<b>\$11,991</b>	<b>\$12,302</b>	<b>\$58,485</b>
<b>TOTAL</b>	<b>\$149,972</b>	<b>\$153,823</b>	<b>\$157,790</b>	<b>\$161,875</b>	<b>\$166,084</b>	<b>\$789,544</b>

Francis Thicke asked if IDALS project is on the same timeframe as this one.

Eric O'Brien said yes, but we're still working out the details. It's planned to be a 5 year project.

Darrell Hanson asked if there's a reason why we need to do phosphorus monitoring in other wetlands.

Eric O'Brien said that currently there has not been any phosphorus monitoring in any of the IDALS wetland monitoring areas.

Darrell Hanson asked about the comment made that there is a possible situation where wetlands would increase phosphorus loading. What would those situations be?

Mary Gail Scott said that this seems to be basic research. Has there been research outside of Iowa on phosphorus in wetlands? Is there any way to extrapolate data? I ask this so that we are building on data and not just recreating something that's already out there.

Tom Wilton said there has been research done around the metro area in Minneapolis, Minnesota. I don't know that this sort of research would apply to these types of wetlands in Iowa.

Mary Gail Scott asked for more information on the Environment First Fund. Where it comes from? How its managed?

Deb Kozel from the legislative services said that environment first monies have been around for 3-4 years. There are certain programs that give money to it. The money is shared with Iowa Dept. of Agriculture and Land Stewardship and the DNR. Most of the money is from gambling. The legislature selects where the money goes and then the department divides it from there.

Donna Buell said that she understands that we are trying to determine if the CREP wetlands is effective. Dr. Crumpton has done a lot of research at Clear Lake, where they have proven that the wetland is contributing to the phosphorus load and now Storm Lake has the Army Corp of Engineers coming in and doing the same sort of testing. Do we coordinate with the Army Corp of Engineers?

Eric O'Brien said that we have not coordinated with the Army Corp of Engineers. The Clear Lake study that you are referring to is the reason we are going forward with this.

Francis Thicke said that he does not feel comfortable voting today. What will happen to the ongoing projects after the funding expires? It's not clear to me on how much the phosphorus sampling will cost and what the all this contract covers.

<b>DEFERRED TIL NEXT MONTH</b>
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## **CONTRACT – IOWA STATE UNIVERSITY – INTENSIVE LAKE MONITORING**

Eric O'Brien of the Water Monitoring Section, IGSLQ Bureau presented the following item.

The Department requests Commission approval of a \$215,200 contract with Dr. John Downing to conduct lake monitoring during the summer of 2005.

The objective of this program is to sample Iowa's principle recreational lakes, and to characterize water quality during the summer of 2005. Because temporal variation in Iowa watersheds is great, this project is planned to yield timely and reliable assessment of Iowa lakes and lake watersheds. Project goals are:

- a. Provide high frequency sampling on selected, highly variable lakes to determine the number of samples needed to adequately characterize water quality and to determine sources of temporal variation.
- b. Provide multi-site sampling on a selection of Iowa's most spatially complex lakes to determine the number of samples needed to adequately characterize water quality in a lake on any given date.
- c. Provide comparisons of sampling by professionals and water quality volunteers.
- d. Compare mixed zone, 2m water column, and grab sampling of Iowa lakes.
- e. Perform spring ice-out sampling to determine appropriate management models for TMDL nutrient use.
- f. Analyze the influence of wind mixing and water residence time on nutrient concentrations to determine reasonable expectations of nutrients in Iowa's lakes.
- g. Provide analyses of how landscape configuration influences water quality.
- h. Provide systematic analyses of *E. coli* to determine relationships with watershed information, lake water quality and lake morphometry.
- i. Provide systematic assessments of cyanobacteria and microcystin concentrations.
- j. Provide estimates of atmospheric loading (N and P) to Iowa lakes.
- k. Provide estimates of the role of Iowa lakes in carbon sequestration and emission.
- l. Provide visual assessments of macrophyte growth in shallow lakes.
- m. Assess the potential for inexpensive remote sensing of water quality in Iowa lakes.

Funding for this contract comes from the Environment First Infrastructure Funds.

<b>Analyzed Regularly from Mixing Zone Integrated Samples</b>	<b>Depth Profiles Analyzed 3-times each Summer</b>
Chlorophyll (chemical)	Temperature
Phytoplankton Composition	Field pH
Zooplankton Composition	Dissolved O <sub>2</sub>
Secchi Disk Transparency	Specific Conductivity
Total P	Turbidity
Dissolved P	
NO <sub>2</sub> + NO <sub>3</sub>	
NH <sub>4</sub>	
Unionized NH <sub>3</sub>	
Total N	
Alkalinity	
Lab pH	
Dissolved Organic Carbon	
Microcystins	
Total Suspended Solids	
Inorganic Suspended Solids	
Volatile Suspended Solids	
Particle Size Distribution	

<b>Chemical and physical</b>	<b>Biotic</b>
Dissolved Oxygen % Saturation	Phytoplankton Taxonomic Richness
pH Deflection	Zooplankton Taxonomic Richness
TN :TP Ratio	Cyanobacterial Dominance
Carlson Trophic State Index	Dominance of other planktonic groups
Carbon Balance including role as sink or source of atmospheric CO <sub>2</sub>	Large filter-feeder biomass
Percentile Rank for all relevant values, as compared to all other Iowa lakes	Numerical abundance of zooplankton for fisheries analyses
Hypsographic representation of profile data	
Average size of suspended particles	
Fractions of habitable area and volume from combined hypsography and oxygen profiles	

**Lakes to be sampled at higher frequency during the summer of 2005.**

<b>Lake</b>	<b>Sampled by ISU</b>	<b>Sampled by CLAMP &amp; ISU</b>
Avenue of the Saints	9-times	
Bob White Lake	9-times	
Lake Darling	9-times	
Little Wall	9-times	
Nine Eagles	9-times	
Ottumwa Central Park Ponds	9-times	
Rathbun	9-times	
South Prairie	9-times	
Upper Pine	9-times	
Volga Lake	9-times	
Big Spirit Lake		11-times
Center Lake		11-times
East Okoboji Lake		11-times
Elk Lake		11-times
Lake Minnewashta		11-times
Little Spirit Lake		11-times
Lower Gar Lake		11-times
Silver Lake		11-times
Turnbull Lake		11-times
Upper Gar Lake		11-times
West Okoboji Lake		11-times

**Lakes to be sampled at multiple sites to determine sampling site numbers needed to yield specified levels of precision on estimates of water quality parameters.**

<b>Lake</b>	<b>Sampled by ISU</b>	<b>Sampled by CLAMP &amp; ISU</b>
Black Hawk Lake	3 sites	
Browns Lake	3 sites	
Brushy Creek Lake	3 sites	
East Okoboji Lake	3 sites	5 sites
Green Valley Lake	3 sites	
Lake Anita	3 sites	
Prairie Rose Lake	3 sites	
Viking Lake	3 sites	
Hawthorne Lake	3 sites	
Hickory Grove Lake	3 sites	
Lake Ahquabi	3 sites	
Red Haw Lake	3 sites	
Lake Macbride	3 sites	
Pleasant Creek Lake	3 sites	
Big Spirit Lake		5 sites
Center Lake		2 sites

Little Spirit Lake		2 sites
Silver Lake		4 sites
West Okoboji Lake		6 sites

*Motion was made by Jerry Peckumn to approve the contract with ISU as presented. Seconded by Mary Gail Scott. Motion carried unanimously.*

Donna Buell abstained from voting due to a working/volunteer relationship with CLAMP. Darrell Hanson abstained from voting due to a working relationship with Iowa State University.

**APPROVED AS PRESENTED**

### **CONTRACT – GOLD SYSTEMS, INC. – WEB-BASED DATA ENTRY PROGRAM**

Eric O'Brien of the Water Monitoring Section, IGSLQ Bureau presented the following item.

The Department requests Commission approval of a contract in the amount of \$23,940 with Gold Systems, Inc. of Salt Lake City, Utah for deployment of an internet based data entry system for water quality data.

Currently, the state of Iowa uses the EPA database "STORET" to manage water quality data collected as part of the Department's ambient monitoring activities. Migration of data records is accomplished using a front end application called "SIM" or STORET Interface Module. This module has recently been updated to include a Web-based form that would allow many users to enter their data into STORET via the internet. The advantage of using the internet is that it could allow users (ex. Army Corp of Engineers, AFO data, etc) outside the Department to also upload their water quality data to STORET, providing one central repository for water quality data in the state. While STORET, SIM, and WebSIM are currently provided free of charge to states through federal funding agreements with EPA, contracting with Gold Systems is necessary in order to deploy a system that could accept data from many different sources into Iowa's repository. This contract covers the cost of installation of WebSIM, troubleshooting the scripts specialized for use in Iowa, training on WebSIM, and technical support.

Funding for this contract comes from the Environment First Infrastructure Funds.

#### Appendix A: Contract Elements

<b>Item</b>	<b>Description</b>	<b>Est. Hours</b>	<b>Cost</b>
A	Identify Installation Components	92	\$9,740.00
B	Configuration Assistance	30	\$2,830.00
C	Create test scripts	20	\$1,700.00
D	Resolve issues	20	\$1,700.00
E	Deliver Components and Instructions	12	\$1,220.00
F	Provide Installation Support	24	\$2,760.00

I	Project Management	30	\$3,150.00
	<b>Subtotal for Installation</b>	<b>216</b>	<b>\$23,100.00</b>
G	Remote Training	8	\$840.00
	<b>Subtotal for Training and Support</b>	<b>8</b>	<b>\$840.00</b>
	<b>Total</b>	<b>224</b>	<b>\$23,940.00</b>

Eric O'Brien said this should be operational by the end of the year. All data that comes in will have to go through a certified lab in order to have all the proper procedures in place.

*Motion was made by David Petty to approve the contract with Gold Systems as presented. Seconded by Mary Gail Scott. Motion carried unanimously.*

**APPROVED AS PRESENTED**

## **FFY 2006 DRINKING WATER STATE REVOLVING FUND INTENDED USE PLAN**

Dennis Alt, Supervisor of the Water Supply Engineering presented the following information.

Commission approval is requested for the Drinking Water State Revolving Fund (DWSRF) Intended Use Plan (IUP) for FFY 2006. Section 1452 of the Amended Safe Drinking Water Act authorized the U.S. Environmental Protection Agency (EPA) to establish a State Revolving Loan Fund for drinking water-related projects to assist water systems to finance the costs of infrastructure needs and to maintain compliance with the Safe Drinking Water Act. The IUP includes the list of projects proposed to receive loan assistance through the Drinking Water State Revolving Fund for FFY 2006.

The proposed FY 2006 IUP includes the list of projects proposed to receive loan assistance through the DWSRF with money available from the 2004 and 2005 capitalization grant funds, state match, and leveraged or transferred funds. Five applications were received, reviewed, and ranked using criteria contained in Chapter 44 of 567 IAC. Four projects were placed on the list for funding in FY 2006; one project was ineligible because construction of the project was already complete. It is anticipated that all eligible applicants will receive loan assistance. Under the IUP, four new projects would receive loan assistance totaling \$4.947 million. Loans will be made at an interest rate of 3% for periods up to 20 years.

It is proposed that unspent funds from the unspent FY 2001 State Program Set Aside be reverted to the fund for infrastructure projects and that the FY 2004 capitalization grant application be amended to fund the budget of \$1.38M for the drinking water program; the one to one match requirement requires a set aside of \$689,000. A set aside was taken in the FY 2005 IUP, but amending the FY 2004 grant application makes it unnecessary at this time. From the Other Authorized Activities set-aside, the IUP proposes amending the FY 2004 grant application to set aside the amount of \$1,511M for source water protection activities, source water protection



loans, and capacity development activities as described in the IUP. A set aside had been taken in the FY 2005 IUP, but amending the FY 2004 grant application makes it unnecessary at this time.

A public hearing was held May 20, 2005 to receive comments on the proposed IUP. The written comment period closed on May 27, 2005. One comment was received and is noted below. No changes were made to the project priority list as a result of the public participation process.

**Responsiveness Summary for Public Comments on the  
Drinking Water State Revolving Fund Intended Use Plan for the  
State of Iowa Fiscal Year 2006**

Written Comments Received

Mark Ackleson, Iowa Natural Heritage Foundation

1. Comment                      Our concern continues to be timely source water protection efforts throughout Iowa.
- We commend the Department's intent to hire a source water protection coordinator to assist in implementing local protection plans. We support continuing contracts for source water protection. However, DNR is substantially behind in meeting its own goals for protecting water sources from pollution. According to our review of public records:
- Iowa has 132 wellhead/SWP plans completed or in process, which covers about 11% of Iowa's community water systems.
  - DNR wanted 50% of Iowa's population protected by 2005 when it adopted the 1997 Source Water Assessment and Protection Plan.
  - The current DNR Nonpoint Source Pollution Plan calls for 75% of utility customers to have SWP coverage by 2010 and 85% coverage by 2015.
  - EPA Region Strategic Plan wants at least 40% of sourcewater areas to have implemented SWP plans by 2008.
  - DNR reports all existing public water supplies have a sourcewater delineation and contaminant source inventory completed, which can assist SWP planning throughout the state.
  - The SRF has funds and authority available to do this work, but Iowa ranks 44<sup>th</sup> among the 50 states in its use of capitalization grants for source water protection set-asides.

We ask the EPC to budget over \$4 million of administrative and local assistance set-asides from the Drinking Water SRF for source water protection. We suggest regional requests for proposals doing one RFP for each of Iowa's regional planning/council of government areas. Each RFP should announce funding available for service contracts to assist selected community water supplies in the region. Contracts should provide free services to community water supplies most vulnerable to pollution and also all communities that are borrowing SRF funds.

This bold initiative will demonstrate DNR is serious about meeting its source water protection goals and Iowa is ready to join the nation's leading states in investing in pollution prevention. Two of Iowa's long-term goals are ensuring the viability of existing water systems and protecting public health. Iowa must do much more to address pathogens, nitrates and potential spills in order to accomplish these goals.

#### Discussion

Based on current information, there are 915 community public water supplies excluding systems that purchase all of the water from another public water supply. Iowa has 145 plans completed that have received some level of approval, meaning that 15.8 percent of community systems have some type of source water protection plan in place. Fifty four of these plans (approximately 6 percent) have met all program requirements and have begun some level of implementation. Many of the other systems with plans have begun some level of implementation that most generally includes placing some of the wellhead protection area into the conservation reserve program (CRP). Contractors are also expected to complete 72 additional plans within the next two years, raising the percentage of systems with plans in place to 22.9.

The Source Water Assessment and Protection Plan was developed in 1997 to reinforce EPA's goal of having 50% of the population served by public water systems protected by having approved source water protection plans in place. Although this was a lofty goal, IDNR was optimistic in 1997 that it could persuade the largest systems in Iowa to complete their source water protection plans. This has not occurred in Iowa or in any of the Region 7 states. Region 7 realized in recent years that this goal could not be met if the largest water systems in the region chose not to develop source water protection plans and so changed its goal to protecting 40% of source water areas instead of 50% of the population served. In addition, EPA modified the objective from simply requiring the completion of a source water plans to include actual implementation of the plans. Requiring implementation makes the goal much more difficult to achieve since water systems must take the initiative and make the hard choices to limit development of industries within source water protection areas, prevent the use of industrial chemicals near source water areas, etc., when economic hardships within the community take precedence.

Recognizing the difficulty in meeting the goals that have been set for us, IDNR has continued to fund two positions that work to assist communities in developing and implementing source water protection plans in the state using funds from the Small Systems Technical Assistance set aside. These positions are in addition to two positions funded by EPA and one funded by the US Department of Agriculture, also for the purpose of developing source water protection plans. The department also plans to hire a statewide source water protection coordinator to work towards leveraging different sources of funding to assist communities in implementing their source water plans and to develop demand for source water protection loans as allowed by the Safe Drinking Water Act. The department has also provided for ongoing source water delineations, contaminant source inventories, and susceptibility analyses through funding of positions at the Iowa Geological Survey.

Review of the Drinking Water SRF National Information Management System data through 2004 (available on the EPA website at <http://www.epa.gov/safewater/dwsrf/dwnims.html>) shows that Iowa is one of only five states in the nation that has made at least one loan to a system for the purchase of land within a source water protection area, and another loan for land purchase in Iowa is pending. Several other source water protection initiatives are also available through the Clean Water State Revolving Fund program, such as the sponsored projects that provide funds for source water implementation activities in watersheds that provide source water to public water systems.

All of this activity indicates IDNR's commitment to source water protection, and the department has considered additional incentives such as funding to assist large public water supplies in developing and implementing their plans, but conversations with these systems have not yet resulted in a request for funds. Five people working full time around the state towards developing and implementing source water plans for communities, at no charge to the communities, have resulted in only a handful of systems with fully approved plans that include implementation schedules, likely because of the voluntary nature of this program. It is hoped that the statewide source water coordinator position, when filled, will assist the department in placing resources where they are most needed for communities seeking assistance with source water protection activities. If there is a need for additional set aside usage at that time, the Intended Use Plan will be modified to provide additional funds.

**Recommendation** Continue to evaluate the source water protection needs in the state and make adjustments to set aside usage as needed. No change in the Intended Use Plan is recommended at this time.

Dennis Alt said that Congress has not approved the federal '06 cap grant amount. We anticipate that our current funding of \$15.2 million will drop to about \$12.8 million in FY '06. The newly released EPA 2003 infrastructure need survey indicates that Iowa has about a \$3.5 billion dollar need for funding water supply infrastructure over the next twenty years. If we receive the \$12.8 million federal capitalization grants, we will provide the 20% matching requirement of about \$2.56 million of that through the sale of state bonds. If we have additional demand for project funding we will leverage those bonds for additional monies. We also plan to transfer some clean water SRF dollars to the drinking water program. We propose to revert the remaining unused balance in the state program set-aside as per EPA's assistance because we didn't promptly use that money within the three years. The 2% small system technical assistance account is expected to fund state program resources, contract services from technical assistance providers for consumer competence report training and development, for capacity development, and value engineering services. Additional projects will be sought during the next year. The 10% state program set-aside will fund state program resources, source water investigation protection projects for the Des Moines and Raccoon Rivers. Additional projects will be sought during the fiscal year. We are proposing to use about \$620,000 of the \$1.5 million that would be available for that set aside from the '04 capitalization grant. The 15% local and other authorized use set aside currently fund state program resources, ongoing well head protection program delineations and redelinations through the geological survey, development of an interactive database will be completed during the next fiscal year. We also support two contract with technical assistance providers to assist public water supplies in completing and implementing their well head

protection programs. Duane Sands brought up the fact that we weren't spending a lot of money on the set asides but we were moving people off the program grant and moving them over to the set asides.

Wayne Gieselmann said that we are in tight budget times, as far as the departmental priorities we wanted to concentrate on water quality standards and NPDES permit program. That seems to be where we are getting the pressure to do more with less.

Jerry Peckum asked if a community has a source water protection plan, are they required to implement that?

Dennis Alt said that there are no state laws that require all public water supplies to have source water protection plans. The water utility has to voluntarily want to protect water protection sources. We try to remove barriers by providing technical assistance providers to help them complete their source water protection plans. The source water protection program was originally envisioned by EPA to prevent new sources from potentially contaminating well heads, but they are now looking at how to remediate existing sources.

Donna Buell said that commission needs some remedial education on SRF's. This is over \$700 million dollars and we need to make sure that we fully understand in order to make an intelligent decision. Why wouldn't you want to shift around funds?

Dennis Alt said that there is no reason we wouldn't want to do that. The thing about reserving capacity is that we are not giving up any opportunity to use any unallocated dollars in future years. Instead of diverting it into the set aside and we don't use it properly, it would be required by EPA to revert that into one direction of loan funds. By reserving capacity when we have project demand, then we could use it at that time.

Chuck Corell said that the where we are now is not the lack of money, it's a lack of grant money from utilities. We have loan money and so far we have had two individuals come to us for a loan. Source water plans don't pay back to utilities. They can't charge fees to get there costs back for a certain projects. It's how do we get the utilities interested in spending their money to get the source water project in place.

Mary Gail Scott asked about a regulatory requirement for public drinking water systems to have source water control protection.

Dennis Alt said no. There is a limited requirement to have set back distances from well heads and intakes.

Donna Buell said that there is over \$1 million in administrative account and there hasn't been any allocations for the last two years.

Dennis Alt said that we have reserved that capacity. At the end of this year, we will have about \$2 million that we have already diverted and we'll have reserved capacity beyond that for the administrative account.

Donna Buell said that the point is that we need money for source water protection. Why shouldn't we go ahead and put that into source water protection. If we don't use the money for source water protection than it reverts back to infrastructure. So what's the downside?

Dennis Alt said that once it reverts back to the project fund, you can never use it again for other purposes.

Chuck Corell said that the spending plan is almost completed for fiscal year 2006. We should be able to hire someone this year to help generate a demand for the money that we have.

Henry Marquard requested that he would like more information regarding the drinking water state revolving fund.

Jerry Peckumn also asked for a report next month explaining how the SRF's work.

*Motion was made by Francis Thicke to table the FY06 Drinking Water State Revolving Fund IUP until next month with the directive that the department will report back with more information regarding SRFs. Seconded by Henry Marquard. Roll call vote went as follows: Jerry Peckumn – aye; Lisa Davis Cook – aye; Suzanne Morrow – aye; Darrell Hanson – aye; David Petty – aye; Donna Buell – aye; Mary Gail Scott – nay; Francis Thicke – aye; Henry Marquard – aye. Motion carried.*

<b>TABLED</b>
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Francis Thicke requested SRF background information before the next meeting so the Commission has plenty of time to sort and research.

Liz Christiansen said that we will postpone the decision until next month but it does sound that a decision needs to be made next month or it may jeopardize Boundrants project. Both of the SRF programs are complicated and detailed. This will be something you will need to learn and take in over many meetings.

Wayne Gieselman said that there is more general information about the funds is on the web. [www.iowasrf.com](http://www.iowasrf.com)

## **CLEAN WATER STATE REVOLVING LOAN FUND – ADDITION TO 2005 INTENDED USE PLAN FOURTH QUARTER UPDATE**

Dennis Alt, of the Water Quality Bureau presented the following item.

Commission approval of an addition to the fourth quarter update to the Clean Water State Revolving Fund Intended Use Plan (IUP) for 2005 is requested. The Commission approved the Fourth Quarter Update in April 2005.

Two additional projects are proposed for the Intended Use Plan. These projects are on a fast schedule and require EPC approval in order to provide funding for them on a timely basis. The projects are summarized in the attachments. The first is a sponsored project between the City of Cantril and the Rathbun Land and Water Alliance. The second is a sewer project by the City of Sibley, which will be added to the project priority list.

**Public Comments:** A public meeting was held on May 20, 2005, to allow opportunity for input on the proposed addition to the Fourth Quarter Update to the IUP. A letter in support of the City of Cantril/Rathbun Land and Water Alliance sponsor project was provided. Oral and written comments concerning the operation of the Clean Water State Revolving Fund were received from the City of Ottumwa. Ottumwa encouraged the Department to consider allowing restructuring of previous SRF loans, to develop disadvantaged community criteria to allow lower interest rates, to remove requirements for proportional user charges, and to reduce the plan and loan approval timeframes.

**Department Response:** The Iowa Finance Authority (IFA), the Department's financial partner for the CWSRF program, has indicated that they will begin to restructure loans after the 10-year call date starting in December 2005. We will examine the possibility of restructuring Ottumwa's previous loans to reduce their debt service costs. The Department and IFA are working on changes to program rules to allow disadvantaged community criteria and more flexibility in establishing loan interest rates. We have decided to propose removing the requirement for proportional user charges in program rules, making Iowa's rules consistent with federal law. Under current rules, Ottumwa may charge lower user rates to low-income customers. We are continuously improving our plan and loan approval processes.

**Intended Use Plan is recommended at this time.**

**PROPOSED SPONSOR PROJECT****Project Title: Rathbun Lake Shoreline Restoration Sponsor Project**

**Project Owner:** City of Cantril and Rathbun Land and Water Alliance

**Project Description:** This project is being proposed as a pilot project to explore using sponsorship in the Clean Water State Revolving Fund. Project sponsorship, which has been implemented in other states' CWSRF programs and is approved by the U.S. Environmental Protection Agency, offers the opportunity to provide additional funding for non-point source pollution control.

The City of Cantril proposes to act as sponsor, through its pending wastewater facility project loan, for a non-point source project to be carried out by the Rathbun Land and Water Alliance. Participating in the sponsor project allows the residents of Cantril to support efforts to protect their source of drinking water, Rathbun Lake.

The goal of the proposed non-point source project is to accelerate the installation of measures to protect critically eroding areas of the shoreline at Rathbun Lake. The project will be carried out through the cooperation of the U.S. Army Corps of Engineers, the Iowa Department of Natural Resources, Rathbun Regional Water Association, and Appanoose Soil and Water Conservation District.

The specific objective of the proposed activities is to apply measures to protect an estimated 1,500 linear feet of shoreline at as many as six priority sites. Funds made available through the sponsored project will be used, in conjunction with other monies, to install an estimated 22,000 tons of rip-rap and establish vegetative materials on the targeted shoreline areas. The proposed measures are expected to reduce the amount of sediment delivered to Rathbun Lake from shoreline erosion by an estimated 5,000 tons annually and to directly improve the aquatic habitat associated with 430 surface acres in the lake.

**Loan Amount:** As shown in the diagram, under a traditional wastewater loan, the city borrows the principal and repays the principal plus interest. In this proposed sponsor project, IDNR proposes to reduce the interest rate on Cantril's loan to 0%. Cantril will borrow the amount of principal plus interest and repay the entire amount. Instead of the interest amount being paid to the CWSRF, it will be provided for the non-point source project.

**Wastewater Facility Loan**

<b>Borrow</b>	Project Amount \$332,000		
<b>Repay</b>	Principal \$332,000	+	3% Interest \$109,000

**Wastewater Facility Loan with Sponsorship**

<b>Borrow</b>	Wastewater Project + Non-Point Source Project \$441,000
<b>Repay</b>	Total Principal at 0% interest \$441,000

On a 20-year, \$332,000 loan, the interest amount would be approximately \$109,000. The loan amount will be determined when the City of Cantril's wastewater facility loan is finalized.

**Special Considerations Requiring EPC Approval:** Chapter 92.6 (10) paragraph e. states that... "The commission may grant interest rate reductions or other favorable loan incentives to applicants that sponsor a project that improves impaired waters or restores the physical, chemical or biological integrity of receiving waters impacted by the wastewater treatment facility."



**APPENDIX B****WPCSRF FY 05 SECTION 212****PROJECT PRIORITY RANKING LIST**

Added to IUP	Points	Project	Project Amount
Segmented Projects	105	Eagle Grove 03	\$379,000
	105	Walford 02	\$487,000
Pre-April 1 Applicants	181	Hudson	\$606,000
	118	Sherrill	\$554,000
	101	Lester	\$374,000
	101	Rolfe	\$865,000
	96	Sutherland	\$901,000
	92	Victor	\$675,000
	93	George	\$1,120,000
Post-April 1 Applicants	185	Panora	\$350,000
	109	Corydon	\$654,000
		TOTAL Original FY 2005 IUP	\$6,965,000
Q3 Applicants	150	Hartley 02	\$432,000
	190	Toledo	\$1,587,000
	168	Camanche	\$467,000
	152	Ruthven	\$1,077,000
	149	Laurens	\$1,161,000
	111	Humeston	\$168,000
	99	Mount Ayr	\$2,250,000
	94	Williamsburg	\$855,000
	94	Sheffield	\$1,180,000
	93	Gowrie	\$1,424,000
	93	Primghar	\$620,000
	74	Arcadia	\$243,000
	63	Royal	\$301,000
	38	Milton	\$488,000
		TOTAL Third Quarter Update	\$12,253,000

Q4 Applicants	201	McCausland	\$828,000
	157	Lansing	\$2,423,000
	117	Oxford Junction	\$533,000
	88	Hubbard	\$840,000
	73	Ryan	\$581,000
	73	Olin	\$1,028,000
	73	Jones County	\$226,000
	71	Elliott	\$300,000
		<i>Sibley</i>	<i>\$294,000</i>
Segmented project		Eldora	\$4,400,000
		TOTAL Fourth Quarter Update	\$11,453,000
		TOTAL New FY 2005 IUP	\$30,671,000

*Motion was made by Donna Buell to approve the Clean Water SRF as presented. Seconded by Henry Marquard. Motion carried unanimously.*

**APPROVED AS PRESENTED**

March 23, 2005

Patti Cale-Finnegan  
State Revolving Fund Coordinator  
Iowa Department of Natural Resources  
Wallace State Office Building  
502 East Ninth  
Des Moines, Iowa 50319-0034

Dear Ms. Cale-Finnegan:

The purpose of this letter is to express Rathbun Regional Water Association's (RRWA) strong support for the Iowa Department of Natural Resources' (DNR) plans to pilot the development of a sponsorship project program through the Clean Water State Revolving Fund (SRF) as indicated in the proposed 2005 Intended Use Plan Fourth Quarter Update.

The DNR's willingness to explore the potential for SRF sponsorship projects to play an important role in addressing the need for funds to protect water resources in Iowa from non-point sources of pollution should be applauded. In the case of the Rathbun Lake Sponsor Project proposed in the Intended Use Plan Update, funds from the sponsor project will leverage other public and private sources of support that together will assist landowners to install best management practices in the Rathbun Lake watershed. These practices will help ensure that water quality in Rathbun Lake continues to satisfy the lake's many uses. Rathbun Lake is the source of water for RRWA's water treatment plant. RRWA supplies residents in 15 counties and 42 communities in Iowa and Missouri with potable water from Rathbun Lake. In addition, the water quality protection achieved with these practices will enhance the substantial outdoor recreational and wildlife habitat benefits provided by Rathbun Lake. We are confident that the success of the Rathbun Lake Sponsor Project will lead to numerous similar opportunities to protect water resources in Iowa.

We are aware that local residents in the City of Humeston and with the Rathbun Land and Water Alliance received outstanding assistance from you and your colleagues at the DNR to plan the proposed Rathbun Lake Sponsor Project. We would like to express our appreciation for your support of our efforts to protect Rathbun Lake. Please contact me with any questions or for more information regarding our support for the development of a sponsorship project program or the water quality protection efforts at Rathbun Lake.

Thank you for your time and consideration.

Sincerely,



John Glenn  
Executive Director

**PROPOSED RULE - CHAPTER 61, WATER QUALITY STANDARDS**

Chuck C. Corell, Chief of the Water Quality Bureau presented the following item.

The Commission will be presented with proposed changes to the state's water quality standards (WQS). These changes are being proposed as part of the ongoing review of Iowa's WQS.

The proposed NOIA will initiate action to:

- Change the current Class B(LR) use designation from Limited Resource Warm Water to Warm Water – Type 2 (Class B(WW-2)).
- Change the current Class B(WW) use designation from Significant Resource Water to Warm Water – Type 1 (Class B(WW-1)).
- Add a new use designation titled Warm Water – Type 3 (Class B(WW-3)).
- Establish a new use designation: Class HH – Human Health. The new designation transfers the human health (consumption of fish) criteria associated with the existing Class B aquatic life designations to a separate use category. The same use protection and numerical criteria will still apply to all existing B(WW), B(CW) and B(LW) waterbodies. The new designation allows the human health criteria to be applied on any waterbody regardless of the aquatic life use designation.
- Establish a separate, rule-referenced document titled “Warm Water Stream Use Designation Assessment Protocol”, which proposes an approach to be followed in assessing the warm water uses of streams.
- Establish Dissolved Oxygen, chemical and ammonia-nitrogen criteria for the new proposed use designation of Class B(WW-3) at the same level that is associated with the existing Class B(LR) use designation.
- Transfer all existing Class B(WW) designated waters to the new Class B(WW-1) use designation.
- Transfer all existing Class B(LR) designated waters to the new Class B(WW-2) use designation.
- Incorporate the proposed use designation nomenclature into the text of the Water Quality Standards at numerous locations and into the applicable rule reference documents.
- Add Class HH to Table 1, Criteria for Chemical Constituents and transfer all Human Health – Fish criteria for Class B(WW), B(LW) and B(CW) designated waters and Human Health – F&W criteria from Class C waters to Class HH.

Iowa's current warm water aquatic life stream use designations, Class B(WW) & B(LR), includes most designated warm water bodies (nearly all lakes and wetlands are designated Class B(LW)) in these two categories of water bodies. The Class B(WW) significant resource warm water designation is assigned to waters in which temperature, flow and other habitat characteristics are suitable for the maintenance of a wide variety of reproducing warm water fish and associated aquatic communities, including sensitive species. The Class B(LR) limited resources warm water designation is assigned to waters in which flow or other physical characteristics limit the ability of the water body to maintain a balanced warm water community. Such waters support only populations of

composed of species able to survive and reproduce in a wide range of physical and chemical conditions, and are not generally harvested for human consumption.

The proposed amendments will rename and redefine the current Class B(WW) and B(LR) use designations: Class B(WW-1) – Type 1, and Class B(WW-2) – Type 2, respectively. The Class B(WW-1) use designation would be defined similarly to the current significant resource warm water use designation. The Class B(WW-2) use designation would be defined similarly to the current limited resource warm water use designation.

A new Class B(WW-3) use designation will be added and defined as waters in which flow persists during periods when antecedent soil moisture and ground water discharge levels are adequate; however, aquatic habitat typically consists of non-flowing pools during dry periods of the year. These water generally include small streams of marginally perennial aquatic habitat status.

Such waters support a limited variety of native fish and invertebrate species that are adapted to survive in relatively harsh aquatic conditions.

The existing Class B(WW) waters will be transferred to the new Class B(WW-1) use designation and the existing Class B(LR) waters will be transferred to the new Class B(WW-2) use designation. However, some of the water bodies may be resigned to other warm water designations when the proposed assessment protocol is applied in the further to existing Class B(WW) and Class B(LR) water bodies. Also it is expected that additional non-designated waters could be designated as Class B(WW-1), Class B(WW-2) or Class (WW-3) waters when adequate assessment documentation is obtained.

The header for Table 1, Criteria for Chemical Constituents, currently displays the Class B(WW) and B(LR) use designations. The header is being changes to incorporate the proposed Class B(WW-1), B(WW-2) and B(WW-3) use designations. In addition, chemical criteria for Class B(WW-3) are being established in Table 1 equivalent to the Class B(LR) values.

A new Class HH use designation will be added and defined as waters in which fish are routinely harvested fro human consumption. The current Human Health – Fish criteria for Class B(WW), B(LW), and B(CW) designated waters will transfer to Class HH. The current Human Health – F&W criteria for Class C waters will transfer to Class HH with a special notation that the criteria apply to all Class C designated waterbodies. Thus, any water designated currently as Class B(WW), B(LW) or Class C will also be designated as Class HH waters.

The header for Table 3a, Acute Criterion for Ammonia in Iowa Streams, currently displays the Class B(WW) and B(LR) use designations. The header is being changed to incorporate the proposed Class B(WW-1), Class B(WW-2) and Class B(WW-3) use designations.

With the basic principle of protecting warm water fish populations and associated warm water aquatics, the current Class B(WW) Dissolved Oxygen criteria are proposed for the new Class B(WW-1) use designation. It is proposed that the current Dissolved Oxygen criteria for Class B(LR) be retained for the new Class B(WW-2) and Class B(WW-3) use designations.

Additional information on Iowa's Water Quality Standards and the Department's rules can be found on the Department's web site at <http://www.iowadnr.com/water/standards/index.html>

Any person may submit written material to Adam Schnieders, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9<sup>th</sup> Street, Des Moines, Iowa 50319-0034, fax 515-281-8895 or by e-mail to [adam.schnieders@dnr.state.ia.us](mailto:adam.schnieders@dnr.state.ia.us) or call Adam at 515-281-7409.

Six public hearings will be held statewide during the month of September.

Chuck Corell said that we have missed the first deadline in June. We were suppose to have more rulemaking to bring today but we will be back with a Notice of Intended Action in July to catch up on the timeline.

A draft of the Warm Water Stream Use Designation Assessment Protocol can be viewed on the DNR website.

Donna Buell expressed her support to the Department for their efforts and asked why the Department doesn't assume that all waterbodies are fishable/swimmable until studies shows that a lower protection is needed.

Chuck Corell said that we could do that and we will get to the same place otherwise but with a lot more work. If we designate a rule that states every waterbody in the state is now fishable/swimmable and here is the criteria and use designation, then we would have to go back to the use attainability analysis to correct all the ones in order to get them back to what's appropriate.

Darrell Hanson said that if waterbodies are categorized below fishable/swimmable, it seems that it would be much easier to prove that a waterbody is of higher quality by observing the usage. From the logic standpoint, it seems to make more sense to start with the more easily provable side, which would be proving the positives about the waterbody.

Mary Gail Scott said that if you assume the lowest level intended use for a waterbody at the onset, then you will only have protection for that level. If you assumed a highest use, then you would have to do some work to prove that it doesn't need highest use, but in the mid-term you are protecting at the highest use.

Henry Marquard said that he is concerned with the idea that you do reach the same point when you presume general use and work up versus if you presume fishable/swimmable and then work down.

Chuck Corell said that the Clean Water Act states that fishable/swimmable is a goal, the presumption says it needs to be protected for the highest use unless you can prove otherwise. It does not say you have to pass a rule that says all your streams now have a fishable/swimmable protection.

There was an ongoing discussion amongst the Commissioners and DNR staff on the reclassification process of waterbodies and levels of protection.

<b>INFORMATIONAL ONLY</b>
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## MONTHLY REPORTS

Wayne Gieselman, Division Administrator, Environmental Protection Division, presented the following items.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Manure Releases Report
5. Enforcement Status Report
6. Administrative Penalty Report
7. Attorney General Referrals Report
8. Contested Case Status Report
9. Waste Water By-passes Report

**IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT  
May, 2005**

Proposal	Notice to Commission	Notice Publish	ARC #	Rules Review Committee	Hearing	Comment Period	Final Summary to Commission	Rules Adopted	Rules Published	ARC #	Rules Review Committee	Rule Effective
1. Ch. 20 - Addition of Definitions for Biodiesel Fuel, #1	4/18/05	*5/11/05		*6/06/05	*6/14/05	*6/20/05	*7/18/05	*7/18/05	*8/17/05		*9/05/05	*9/21/05

<b>Fuel oil and #2 Fuel Oil</b>												
<b>2. Ch. 20, 21, 22, 23 &amp; 25 – AQ Program Rules; Updates, Revisions and Additions</b>	2/21/05	3/16/05	4059B	4/05/05	4/19/05	4/25/05	5/16/05	*5/16/05	*6/08/05		*7/05/05	*7/15/05
<b>3. Ch. 20, 22, 31 and 33 – Major New Source Review Rules</b>	1/18/05	2/16/04	4005B	3/04/05	3/18, 23/05	3/25/05	*6/20/05	*6/20/05	*7/20/05		*8/02/05	*8/24/05
<b>4. Ch. 22 – Air Construction Permitting Exemptions</b>	4/18/05	*5/11/05		*6/06/05	*6/13, 16/05	*6/24/05	*7/18/05	*7/18/05	*8/17/05		*9/05/05	*9/21/05
<b>5. Ch. 23 – Clarification Regarding Ordinary Travel on Unpaved Public Roads</b>	4/18/05	*5/11/05		*6/06/05	*6/15/05	*6/17/05	*7/18/05	*7/18/05	*8/17/05		*9/05/05	*9/21/05
<b>6. Ch. 53 – Protected Water Source</b>	1/18/05	2/16/05	4003B	3/04/05	3/10/05	3/17/05	TERMINATION 5/16/05	*5/16/05	*6/08/05		*7/05/05	*7/15/05
<b>7. Ch. 60, 63, 64 &amp; 65 – CAFO Regulations</b>	9/20/04	10/13/04	3736B	11/09/04	11/05/04	11/05/04	TERMINATION 5/16/05	*5/16/05	*6/08/05		*7/05/05	*7/15/05
<b>8. Ch. 65 – Definitions, Construction Permit Requirements, Master Matrix, Groundwater Determination</b>	9/20/04	10/13/04	3735B	11/09/04	11/08/04	11/08/04	4/18/05	4/18/05	*5/11/05		*6/06/05	*6/15/05
<b>9. Ch. 65 – Open Feedlots – Engineering Standards</b>	11/15/04	12/08/04	3873B	1/04/05	1/04/05 1/05/05 1/07/05	2/21/05	*6/20/05	*6/20/05	*7/20/05		*8/02/05	*8/24/04
<b>10. Ch. 65 – MMP Content Requirements; Phosphorous Index</b>	1/18/05 10/18/04	2/16/05 11/10/04	4004B 3807B	3/04/05 12/14/04	3/08/05 12/03/04	3/08/05 12/03/04	4/18/05 1/18/05	4/18/05 1/18/05	*5/11/05 2/16/05		*6/06/05 *3/02/05	*6/15/05 *3/25/05
<b>11. Ch. 101 – Solid Waste Comprehensive Planning Requirements</b>	2/21/05	3/16/05	4062B	4/05/05	4/06/05	4/06/05	5/16/05	*5/16/05	*6/08/05		*7/05/05	*7/15/05



12. Ch. 135 Technical Standards and Corrective Action Requirements for Owners and Operators of USTs	4/18/05	*5/11/05		*6/06/05	*5/31/05 6/1, 2/05	*6/10/05	*7/18/05	*7/18/05	*8/17/05		*9/05/05	*9/21/05
13. Ch. 136 Financial Responsibility Requirements for USTs	4/18/05	*5/11/05		*6/06/05	*5/31/05 6/1, 2/05	*6/10/05	*7/18/05	*7/18/05	*8/17/05		*9/05/05	*9/21/05

Monthly Variance Report						
June, 2005						
Item No.	Facility	Program	Engineer	Subject	Decision	Date
1	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Proposed method is Horizontal Directional Drilling using PVC SDR21.	Approved	05/09/05
2	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Allow maximum manhole or single cleanout (end of line) spacing up to 600 feet on sewer 6-inch and 8-inch sewer	Approved	05/09/05
3	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Installation of 6-inch sewer for all except some trunk sewer proposed	Approved	05/09/05
4	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Installation of influent lines above pond seal is proposed	Approved	05/18/05

5	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Proposed design is a two-cell lagoon, with total surface area approximately 1.92 acres	Approved	05/09/05
6	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Above-seal influent pipe installation and elimination of the saucer-shaped depression is proposed	Approved	05/18/05
7	Harper Regional Utility Service Systems	Wastewater	Garden & Associates, Ltd.	Two drawoff levels from the secondary cell as opposed to the minimum number of 3 is proposed	Approved	05/18/05
8	Equistar Chemicals, L.P.G.	Air Quality		Install a temporary flare at its facility located in Clinton, with no preconstruction approval requirements	Approved	05/12/05
9	Pattison Bros. Mississippi River Terminal, Inc.	Waste Tire Management	Jim Pray, Attorney for Pattison Bros.	Decrease the fire access lane width requirements to allow additional storage area for tires within the mine	Denied	05/05/05
10	Clay Regional Water	Water Supply	DGR Engineers, Rock Rapids	Allow for a single booster pump to be used at the Highway 9 Booster Station	Approved	05/06/05

11	Muscatine Power and Water	Air Quality		Modification of Variance of 01/18/05 to increase the maximum TDF content in the coal/TDF fuel blend being burned in Unit 7 from 5 to 20 percent	Approved	05/06/05
12	West Des Moines Community Schools	Floodplain	Engineering Alliance, Inc.	Freeboard criterion variance	Approved	05/11/05
13	City of Mason City	Floodplain	WHKS & Company	Freeboard criterion variance	Approved	05/11/05
14	City of Quimby	Water Supply	Kuehl & Payer, Ltd., Neal Kuehl, P.E.	Test only for regulated parameters	Approved	05/05/05
15	Agriprocessors, Inc.	Water Supply	Bolton & Menk, Inc., Gregory Sindt, P.E.	Variance from the 200-foot radius of legal control of land with respect to the railroad right-of-way	Approved	05/04/05
16	Alliant Energy Ottumwa Plant	Air Quality		Burn a turbine chemical cleaning waste in boiler #1 (8,000 gallons)	Approved	04/28/05
17	Alliant Energy Burlington Generating Station	Air Quality		Burn petroleum contaminated groundwater in boiler #1 (40,000 gallons)	Approved	04/28/05
18	Meadow Street Bridge	Floodplain	Bob Band, Shoemaker & Haaland	Freeboard criterion variance	Approved	04/28/05
19	City of North Liberty	Wastewater	Shive-Hattery, Inc.	Pipe bursting process for excavation, pipe bedding, and installation	Approved	05/02/05

20	City of Gilbert	Water Supply	WHKS & Co., Linda Narigon, P.E.	Variance from water quality testing, Well #4	Approved	04/26/05
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**Iowa Department of Natural Resources  
Environmental Services Division  
Report of Hazardous Conditions**

During the period May 1, 2005, through May 31, 2005, 56 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Substance					Mode				
	Total Incidents	Agri-chemical	Petroleum Products	Other Chemicals	Transport Facility	Fixed	Pipeline	Railroad	Fire	Other*
October	52 (73)	2 (11)	29 (45)	21 (17)	17 (21)	27 (41)	2 (2)	2 (1)	0 (3)	4 (5)
November	68 (70)	14 (9)	33 (42)	20 (19)	21 (20)	34 (39)	1 (1)	2 (1)	0 (1)	10 (8)
December	58 (51)	8 (10)	34 (29)	16 (12)	19 (21)	29 (27)	3 (0)	2 (0)	0 (1)	5 (2)
January	58 (44)	6 (7)	36 (25)	16 (12)	20 (9) 28 (32)	1 (2)	1 (0)	1 (1)	7 (0)	
February	46 (41)	4 (5)	25 (20)	17 (16)	12 (13)	24 (24)	4 (1)	2 (1)	1 (0)	3 (2)
March	70 (71)	11 (9)	43 (38)	16 (24)	25 (21)	33 (47)	1 (0)	1 (1)	3 (0)	7 (2)
April	102 (99)	35 (44)	46 (42)	21 (13)	32 (30)	51 (63)	2 (0)	3 (3)	3 (0)	11 (3)
May	56 (66)	19 (17)	26 (40)	11 (9)	21 (18)	28 (39)	1 (2)	2 (2)	0 (0)	4 (5)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	510 (515)	99 (112)	272 (281)	138 (122)	167 (153)	254 (312)	15 (8)	15 (9)	8 (6)	51 (27)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Month.

\*Other includes dumping, theft, vandalism and unknown

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
4	14	6	6	20	6

**Iowa Department of Natural Resources  
Environmental Services Division  
Report of Manure Releases**

During the period May 1, 2005, through May 31, 2005, 3 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

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June 2005

Month	Total	Feedlot Incidents	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	15 (8)	0 (0)	6 (2)	6 (2)	3 (2)	13 (6)	2 (0)	0 (0)	0 (0)	2 (0)
November	9 (5)	2 (0)	4 (2)	1 (2)	2 (1)	6 (5)	2 (0)	0 (0)	1 (0)	1 (0)
December	2 (4)	0 (0)	2 (2)	0 (0)	0 (2)	2 (3)	0 (0)	0 (1)	0 (0)	0 (1)
January	0 (1)	0 (0)	0 (1)	0 (0)	0 (0)	0 (1)	0 (0)	0 (0)	0 (0)	0 (0)
February	1 (1)	0 (0)	0 (0)	0 (1)	1 (0)	0 (1)	0 (0)	1 (0)	0 (0)	0 (0)
March	1 (5)	0 (1)	1 (0)	0 (0)	0 (3)	0 (4)	1 (0)	0 (0)	0 (0)	1 (1)
April	6 (10)	0 (0)	2 (4)	1 (4)	3 (2)	5 (7)	1 (3)	0 (0)	0 (0)	0 (5)
May	3 (2)	1 (0)	1 (1)	0 (0)	1 (1)	2 (2)	1 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	<b>37 (36)</b>	<b>3 (1)</b>	<b>16 (12)</b>	<b>8 (9)</b>	<b>0 (0)</b>	<b>28 (29)</b>	<b>7 (3)</b>	<b>1 (1)</b>	<b>1 (0)</b>	<b>4 (7)</b>

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office This Month.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
0	2	0	1	0	0

**DATE:** June 1, 2005**TO:** EPC**FROM:** Ed Tormey**RE:** Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Ponderosa West LLP, Humboldt Co. (2)	Animal Feeding Operation	Prohibited Discharge – Confinement; Failure to Report a Release; Water Quality Violations –General Criteria	Consent Order \$10,000	4/14/05
Paul Launderville dba Midwest Tennis & Track Co., Denison (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$7,500	4/21/05
David Kistenmacher; Holstein Dairy, Holstein (3)	Animal Feeding Operation	Freeboard	Consent Amendment \$1,500	4/26/05
Racer's Bar and Grill, Algona (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; Public Notice	Consent Amendment \$500	4/27/05

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Don Stickle and Sons Farms, Anamosa (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Failure to Report a Release; Water Quality Violations – General Criteria	Order/Penalty \$10,000	5/06/05
Richard Caves; Charlotte Caves Oskaloosa (5)	Hazardous Condition	Remedial Action	Partial Withdrawal of Order	5/06/05
Kenneth Spies and Duane Karsten dba Spies Fur Co., Carroll Co. (4)	Solid Waste	Illegal Disposal	Consent Order \$1,000	5/25/05

## IOWA DEPARTMENT OF NATURAL RESOURCES COMPLIANCE AND ENFORCEMENT BUREAU

**DATE:** June 1, 2005  
**TO:** Environmental Protection Commission  
**FROM:** Ed Tormey  
**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Paul Riha d/b/a Riha Auto Sales (Vining)	UT	1,200	5-06-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Donald and Marie Phillips (Milo)	WW	1,300	7-09-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,800	8-01-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	1,100	3-08-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Midway Oil Co.; David Requet (Davenport)	UT	6,430	9-20-02
Wilbur McNear d/b/a McNear Oil Co. (Onawa)	UT	5,930	12-17-02
Jeff Reed d/b/a Reed's Service (Lenox)	UT	7,250	1-12-03
Allan Scott (Marion Co.)	SW/WW	1,150	1-15-03
Peter Cook (Grand Mound)	AQ/SW	500	2-10-03
* Winter Mobile Home Park (New Hampton)	WS	250	2-15-03
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Duane Crees (Muscatine Co.)	AQ/SW	1,160	3-01-03
Nevada, City of SEP	WW	3,000	3-14-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	4,000	6-09-03
Mobile World LC (Clinton Co.)	SW	2,250	6-29-03
Casey's General Stores, Inc. (Various Locations)	UT	15,000	8-01-03
Casey's General Stores, Inc. (4 Locations)	UT	4,500	8-01-03

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McMahon's Bar & Ballroom (Andover)	WS	500	8-08-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	975	12-15-03
Robert L. Nelson (Orient)	UT	2,450	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	10,000	3-22-04
# Trent Ellis (Calhoun Co.)	AQ/SW/AFO	3,000	3-23-04
Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
# James Hoogland (Sioux Co.)	AFO	2,000	4-11-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
John Danker (Lee Co.)	AQ/SW	10,000	5-22-04
R. Victor Hanks; Mobile World L.C. (Camanche)	WW	10,000	5-23-04
Gingerich Well & Pump; Corwin Gingerich; Klint Gingerich	WS	3,800	5-25-04
# Matt Hoffman (Plymouth Co.)	AFO	750	5-27-04
Mobile World LC (Camanche)	AQ/SW	10,000	5-30-04
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Midway Water & Lighting Co., Inc. (Marion)	WS	5,000	7-02-04
Shane Preder (Ft. Madison)	AQ	1,000	7-12-04
* Russell Barkema; K.R. Construction (Wright Co.)	AQ/SW	1,500	9-30-04
* Piper Motor Co.; Bruce Piper d/b/a Super Clean Car Wash	WW	3,500	9-01-04
Fran Oil Company (Council Bluffs)	UT	6,896	8-01-04
* Piper Motor Co.; Bruce Piper d/b/a Super Clean Car Wash	WW	3,750	8-01-04
Ranch Supper Club (Swisher)	WS	2,500	8-02-04
Ossian Agri Center, Inc. (Ossian)	WW/HC	2,000	8-02-04
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000	8-03-04
Cobb Oil Co.; Messer Oil Co. (Lone Tree)	UT	250	8-03-04
# Travis Aldag (Ida Co.)	AFO	3,000	8-17-04
#*James Boller (Kalona)	AFO	4,750	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
# C J Acres; Carl Schelling (Sioux Co.)	AFO	3,000	9-11-04
David Niklasen (Shelby Co.)	SW	2,900	9-11-04
Crest Country Inn (Iowa Co.) No. 2	WW	2,000	9-21-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
# David Kass (Plymouth Co.)	AFO	3,000	10-02-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Friendly Tavern (Quasqueton)	WS	500	11-29-04
Americana Bowl (Ft. Madison)	WS	500	11-28-04
Crest Country Inn (Iowa Co.) No. 1	WW	1,000	12-11-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
# Doug Sweeny (O'Brien Co.)	AFO	750	1-02-05
# Dean Pedersen (Pocahontas Co.)	AFO	750	1-19-05
# Dean Paustian (Scott Co.)	AFO	750	2-07-05
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
Roquette America, Inc. (Keokuk)	WW	10,000	3-04-05
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	2,000	4-02-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
ARC Communities 8 LLC; Sunrise MHP (Newton)	WW	2,000	4-23-05
# Jim Dos (Black Hawk Co.)	AFO	3,000	5-04-05

Garlen E. Perry; Paul and Percilla Lattin (Shenandoah)	AQ/SW	3,000	5-15-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	2,500	5-19-05
* Country Terrace Mobile Home Park (Ames)	WW	3,230	6-01-05
#*Gary DeBoer; G & S Farms (Lyon Co.)	AFO	500	6-01-05
#*Dennis VanDerWeide (Sioux Co.)	AFO	500	6-01-05
#*Miles McDougall (Plymouth Co.)	AFO	750	6-04-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	4,450	6-06-05
* Elite, Ltd.; FS Energy Fuel 24, LLC; Roger Kanne	UT	3,150	6-06-05
Martin Fender (Mills Co.)	AQ/SW	1,000	6-06-05
H & H Trailer Co. (Braddyville)	AQ	1,500	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	10,000	6-10-05
Sioux City, City of	SW	7,000	6-10-05
* Racer's Bar and Grill (Algona)	WS	300	6-15-05
* Dennis Gailey (Moorland)	AQ/SW	5,300	6-18-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
# Scott Antisdell (Carroll Co.)	AFO	750	6-21-05
# Dennis Kuehl (Cass Co.)	AFO	3,000	6-24-05
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000	6-24-05
O R Entertainment d/b/a Ringo's (Mason City)	WS	1,025	6-25-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
Environ. Egg Production; Iowa Ag Excavating (Wright Co.)	WW	5,000	-----
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
James L. Heal d/b/a A-1 Domestics (Homestead)	SW/WW	1,800	-----
Kountry School LLC (Elkader)	WS	1,500	-----
Delores Van Ohlen Trust (Hamilton Co.)	AQ/SW	3,000	-----
David Carlisle (Ringgold Co.)	SW	3,500	-----
Vernon Kinsinger (Washington Co)	SW	8,130	-----
# Rick Renken (Plymouth Co.)	AFO	750	-----
<b>TOTAL</b>		<b>440,961</b>	

The following cases have been referred to the Attorney General:

Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Edward Bodensteiner (Des Moines)	UT	3,200	3-31-96
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
#*Harold Unternahrer (Washington Co.)	AFO	700	5-01-99
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97
Hofer's Danceland Ballroom (Walford)	WS	100	4-23-99
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000	12-19-98
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800	3-06-99
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Jim Walker (Johnson Co.)	AQ/SW	3,000	2-14-99
Iowa Millenium Investors, LLC (Sumner)	UT	4,000	10-12-99
Daryl & Karen Hollingsworth d/b/a Medora	UT	10,000	



## Environmental Protection Commission Minutes

June 2005

Store(Indianola)

Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000	1-23-00
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000	5-26-00
Lindhahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
Wisconsin North dba National Petroleum (Clinton)	UT	2,840	8-21-01
Michael Bauer (Davenport)	UT	5,100	3-13-01
Dennis Seversson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500	8-01-01
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000	9-18-01
Marvin Oberly (Burlington)	WW	1,300	6-27-01
Richard Davis (Monroe Co.)	AQ	8,000	6-25-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	3,200	8-18-02
Ryan Barton; Theresa Barton (Kellerton)	AQ/SW	1,000	5-27-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
Oran Pub & Grill (Fairbank)	WS	100	6-03-02
M.A., Inc.; Spring Grove Mobile Home Park (Burlington)	WW	7,000	11-01-02
M.A., Inc.; Westside Park for Mobile Homes (Lee Co.)	WW	7,000	11-01-02
Harry F. Trafton; Trafton Enterprises; Interstate Lounge	UT	6,800	1-13-03
John Jolin; Michael Kolbold (Sioux City)	UT	5,760	6-23-02
Dave Paplow (Indianola)	AQ/SW	5,000	7-05-02
Meadow Mist Motel (Fayette Co.)	WS	500	8-12-02
Park View Motel (Oelwein)	WS	750	9-06-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
Mike Messerschmidt (Martinsburg)	AQ/SW	500	
# Carl Simon (Dubuque Co.)	AFO	5,000	1-17-03
Plantation Village Mobile Home Park (Burlington)	WS	500	6-06-03
Mark Buringrud fdbs Carpenter Bar & Grill (Carpenter)	WS	2,500	10-26-01
Honey Creek Campground (Crescent)	WS	1,000	4-30-02
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
Plain Salvage Inc. (Sac City)	AQ/SW	10,000	5-12-00
Affordable Asbestos Removal, Inc.; Jeffry Intlekofer (Ft. Madison)	AQ	3,100	3-30-03
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
Richard Juhl (Cass Co.)	AQ/SW	4,700	
Pat Kelly d/b/a Kelly Construction (Denison)	UT	1,860	6-22-04
Roger Ginger d/b/a L & L Standard (Everly)	UT	5,750	6-22-04

<b>TOTAL</b>	<b>234,630</b>
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The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Dallas County Care Facility (Adel)	WW	2,500
Richard Sprague (Tripoli)	AQ/SW	5,000
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
R. Excavating, Inc.; Randy Golden (Pottawattamie Co.)	WW	10,000
Sir Fredericks, Inc.; Fred Scherle (Ankeny)	UT	2,280
LeMars, City of	WW	10,000
Dallas County Care Facility (Adel)	WW	5,000
Robert Ward (Lee Co.)	WW	1,450
Partners Four Investments, Inc. (Marble Rock)	UT	5,280

William Habhab (Fort Dodge)	SW	1,500
Kevin Wallerich (Keota)	SW/WW	500
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
Charlotte Caves (Oskaloosa)	HC	10,000
Clifton Clark (Moorhead)	AQ/SW	1,500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Stanley Siems (Hardin Co.)	AQ/SW	7,500
Schell Family Partnership (Boone Co.)	HC/SW	5,000
River City Development; Russell Hardy (Mason City)	UT	2,480
Chelsea, City of	WW	3,000
# Glen Samuelson (Adams Co.)	AFO	1,000
# Merrell Butler (Adams Co.)	AFO	1,000
# Anthony Wendler (Emmet Co.)	AFO/SW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000
# Iowa Select Farms, LP; Swartz Finisher Farm (Hardin Co.)	AFO	500
# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
# New London Dairy; Steve Walter dba Walter & Sons	AFO/RWA	5,000
Roger Eblen; Eblen Develop.; Duane Menke; (Whispering Woods - Council Bluffs)	WW	10,000
# Iowa Select Farms, L.P.; Kerrigan Facility (Union Co.)	AFO	1,000
# D & D Ag Enterprises, LLC (Union Co.)	AFO	2,000
# Iowa Select Farms, Inc.; Clarke Sow (Clarke/Union Co.)	AFO	5,000
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	7,000
Cedar Rapids, City of	WW	1,000
Country Living MHP (Altoona)	WW	5,000
Kent Kiburz (Humboldt Co.)	SW	2,500
Strawberry Point, City of	WW	10,000
Casey's Marketing Co. (Jefferson)	UT	5,224
Edward Rasch; Easter Enterprises, Inc. (Norwalk)	UT	3,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
Greenman Technologies of Iowa, Inc. (Des Moines)	SW	2,000
Harlan Clasen (Rock Rapids)	AQ/SW	10,000
# Jeff Holland (Winnebago Co.)	AFO	5,500
Boyer's Sand and Rock, Inc.; William Boyer (Hawarden)	UT	2,380
Pocahontas, City of	WW	5,000
# T. Patrick and Laurie Cashman (Deep River)	AFO	750
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
Landfill of Des Moines, Inc. (Des Moines)	SW	7,000
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
American Shell Co.; James L. Peach (Fairport)	UT	6,200
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
Shenandoah, City of	AQ/SW	10,000
# Tim Trostel (Butler Co.)	AFO	2,000
# James Axtell (Hardin Co.)	AFO	500
Iowa Falls, City of	WW	10,000
Regional Environmental Improvement Comm. Of Iowa Co.	SW	10,000
Michael Sickles; Keri Sickles (Adair Co.)	SW	3,000
Edwin Pagliai (Pella, Maquoketa, Keokuk)	UT	5,000

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Lake Place (Clarion)	WS	500
LeMars, City of	WW	9,000
Ben Haven Mobile Home Park (Quasqueton)	WS	3,000
Curt Kline; Connie Kline (Dunlap)	AQ	5,575
# Terry Nibbelink (Sioux Co.)	AFO	1,500
# Clark Partnership; Dennis & Terrence Clark (Osceola Co.)	AFO	1,500
Williams Brothers Garage (Atlantic)	AQ/SW/WW	5,000
Alton, City of	FP	5,000
Rural Iowa Solid Waste Management Assoc. (Hardin Co.)	SW	5,000
# Allen Hoeper (Bremer Co.)	AFO	1,500
# Hunt Brothers; Steve and Chris Hunt (O'Brien Co.)	AFO	1,500
Casey's Marketing Co. (5 locations)	UT	18,101
Maquoketa Shoreline Development; John Thola (Jackson Co.)	WW	10,000
Galen Engstrom (Renwick)	WW	1,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
The Universal Assembly of Christians; Marsha Leigh	AQ/SW	10,000
Imperial Properties, Inc. (Des Moines)	UT	10,000
# Steve Renze (Sac Co.)	AFO	3,000
# Doug Renze (Sac Co.)	AFO	3,000
Schmidt Distributors; Shoppers Supply Co. (Ft. Dodge)	AQ	5,000
# Eischeid Farms (Carroll Co.)	AFO	3,000
# Steve Van Utrecht (Mahaska Co.)	AFO	1,500
# Randy Gergen; R & D Farms (Sioux Co.)	AFO	3,000
# John Hansen (Sioux Co.)	AFO	3,000
# B & B Sandhill Swine, Inc. (Olin)	AFO	3,000
# Chad Kooima (Sioux Co.)	AFO	1,500
Dr. Ed Cook (Cherokee Co.)	AQ	3,000
# Dean & Sharon Gettler (Montgomery Co.)	AFO	3,000
Environmental Solutions, Inc. (Mills Co.)	SW	10,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
# Robin Hewer (Clinton Co.)	AFO	3,000
Marvin Bates (Iowa Co.)	AQ/SW/WW	10,000
# Ellsworth Bros. Manure Pumping LLC (Kossuth Co.)	AFO	500
Harvey Products, Inc. (Harvey)	AQ	10,000
# Harold Deckers; HPD Pork (Sioux Co.)	AFO	3,000
# James VerMeer (Sioux Co.)	AFO	3,000
# Dennis Rowenhorst (Sioux Co.)	AFO	3,000
# James Schmitz (Plymouth Co.)	AFO	3,000
# Bill and Don Adam, Inc. (Jefferson Co.)	AFO	3,000
F. J. Krob & Co. (Walker)	WW/HC	10,000
# JK farms, Inc. (Plymouth Co.)	AFO	3,000
Bill Schrock (Stockport)	SW/WW	2,000
Tschiggfrie Excavating Co. (Dubuque)	WW	8,000
Iowa State University Heating Plant (Ames)	WW	1,500
# Dave Borchers (Plymouth Co.)	AFO	1,500
# David Meyer (Cedar Co.)	AFO	1,500
# P & W Egg Company, LC (Cass Co.)	AFO	3,000
Fairwinds Corp.; Envirobate Mgmt. (Urbandale)	AQ	10,000
Gary Hart (Clinton)	AQ/SW	4,250
Rose Bartles (Glenwood)	AQ/SW	1,500
# Teske Pork, LLC (Hardin Co.)	AFO	3,000
# Linn Grove Hatchery, Inc. (Buena Vista Co.)	AFO	3,000
Cedar Rapids, City of	WW	5,000
Goose Lake, City of	WS	1,000

# Monty Unkrich (Jefferson Co.)	AFO	3,000
Paul Shimp & S & V Fence Co. (Eldridge)	AQ	3,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
Patrick M. Pinney Contractors, Inc. (Sioux City)	SW	2,000
Patrick M. Pinney Contractors (Sioux City)	AQ	3,000
# Greg Vanden Bosch; G & T Eggs (Sioux Co.)	AFO	1,500
Leland Heisdorffer (Keokuk Co.)	AQ/SW/WW	10,000
# Darrell Behrens; Kelly Behrens (Buena Vista Co.)	AFO	3,000
Acme Fuel & Material Co. (Muscatine)	AQ	7,000
Donald Hopp (Mills Co.)	SW	2,200
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
# Steve Bouchard (Cherokee Co.)	AFO	3,000
# Steve Grettenberg (Webster Co.)	AFO	1,000
James Brown; Brian Stickney (Oto)	AQ	3,500
# Keith Kruse (Clay Co.)	AFO	1,500
Crestview Mobile Home Park (Ames)	WW	10,000
# Puck Custom Enterprises, Inc. (Shelby Co.)	AFO	800
# Natural Pork Production II, LLC (Shelby Co.)	AFO	300
# Greg Gerber (Lyon Co.)	AFO	3,000
# Jerry Vander Platts (O'Brien Co.)	AFO	3,000
# Paul Rehder (O'Brien Co.)	AFO	3,000
# E & N Farms, Ltd. (Lyon Co.)	AFO	3,000
# Matt Gehling (Carroll Co.)	AFO	1,500
Wayne Staab (Plymouth Co.)	AQ	1,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
MKKS, LLC (Urbandale)	UT	4,600
MKKS, LLC (Windsor Heights)	UT	6,500
MKKS, LLC (West Des Moines)	UT	4,600
Consolidated Energy Co. LLC (Whiting)	UT	6,000
Russell Knobbe; Knobbe Bros.; Mello Knobbe (Carroll Co.)	AQ	1,000
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Pleasant Hill, City of	WW	10,000
Jerome Loutsch (Plymouth Co.)	AQ	1,000
Lawler, City of	WW	3,000
Jim Hawk Truck-Trailers of Davenport, Inc. (Davenport)	UT	6,427
O-C Trailers, Inc. (Sioux Co.)	AQ/SW	2,000
# Rick Nikkel (Jasper Co.)	AFO	3,000
# Rick Halma (Lyon Co.)	AFO	3,000
Olsen Fuel Supply, Inc. (Atlantic)	UT	7,000
James Karthan (Clarke Co.)	AQ	1,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
# Marvin Maassen; Maassen & Sons (Sioux Co.)	AFO	1,500
# Ivan Kenney (Guthrie Co.)	AFO	3,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	7,300
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	6,000
# Patrick Jones (Dickinson Co.)	AFO	1,500
Fran Oil Co. (Council Bluffs)	UT	7,000
Fran Oil Co. (Council Bluffs)	UT	3,000
Iowa Oil Co.; HRV Petro; Two Holdings (Dubuque)	UT	6,300
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Colleen Weber (Mitchell Co.)	AQ/SW	1,500
Stewart Construction Ltd. (Lyon Co.)	AQ/SW	2,500
William Butterfield (Mason City)	AQ/SW	3,000

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Dirk Graves (Glenwood)	AQ	1,000	
Roger Holland (Farmington)	WW	7,000	
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112	
Goettsch Trucking and Seed, Inc. (Galva)	HC	5,500	-----
Reginald Parcel (Henry Co.)	AQ/SW	1,000	
Paul Launderville; Midwest Tennis & Track (Denison)	AQ/SW	7,500	
Atlantic, City of	AQ/SW	10,000	
<b>TOTAL</b>		<b>808,084</b>	

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
* Elite, Ltd.; FS Energy Fuel 24, LLC; Roger Kanne	UT	250
* Country Stores of Carroll, Ltd. (Carroll)	UT	250
#*Miles McDougall (Plymouth Co.)	AFO	125
# Mark Hoefling (Sac Co.)	AFO	3,000
The Filling Station (Glenwood)	WS	1,500
* Racer's Bar and Grill (Algona)	WS	200
*#Roger Bockes, et. al. (Tama Co.)	AFO	600
William Hennessey (Linn Co.)	SW	1,000
# Verlyn & LeAnn VanRegenmorter (Sioux Co.)	AFO	2,610
# Ray Schmitz (Black Hawk Co.)	AFO	1,500
* Country Terrace Mobile Home Park (Ames)	WW	110
Spies Furs (Manning)	WW	1,000
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	100
# David Kistenmacher; Holstein Dairy (Holstein)	AFO	1,500
* Dennis Gailey (Moorland)	AQ/SW	1,200
# Del DeWulf (Cedar Co.)	AFO	1,500
Brad Taylor (Pottawattamie Co.)	AQ/SW	250
# Don Stickle & Sons Farms, Inc. (Anamosa)	AFO	10,000
Fred Schoolcraft (Hancock Co.)	AQ/SW/WW	6,500
		<b>33,195</b>
<b>TOTAL</b>		

## Contested Case

12/12/95	Vernon Kinsinger	6	Order/Penalty	AQ/SW	Tack	Hearing set for 8/22/05.
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	9/20/04 - DNR staff gathering information to submit to DNR management.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	4/20/04 - ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.
4/24/00	Carroll, City of	4	Permit Conditions	WW	Hansen	Consent order sent to City for review and mayor's signature. 12/26/03 - Dept. follow-up letter to City attorney. 12/29/03 - Response

						from City. 2/04 – Dept. permit writer drafting revised permit. 3/04 – Status report requested from permit writer. 4/16/04 – Dept. letter to City attorney regarding settlement with copy of draft revised NPDES permit. 5/19/04 – Follow-up letter to City attorney regarding permit. 8/04 – To be set for hearing since no settlement achieved. 9/1/04 – FO4 letter to City regarding status of construction to meet schedule in construction permit. Set for hearing for 12/16/04. Tentative agreement reached with City on terms of NPDES permit to be issued to resolve appeal. 11/04/04 – Settled. Final terms of draft NPDES permit agreed upon between City and Dept. Draft permit sent to City to be put on public notice. 11/10/04 – City placed draft NPDES permit on public notice. Hearing continued to 2/04/05. Once final permit is issued appeal can be closed. 2/10/05 – Final permit issued by Dept. 5/05/05 – City sent letter dismissing appeal. Case closed.
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	4/26/04 – Settlement invitation letter sent.
12/01/00	Postville, City of	1	Order	WW	Tack*	Court hearing set for 2/05.
8/09/01	Nevada, City of	5	Order/Penalty	UT	Wornson	<b>Compliance achieved. Received partial penalty. City will submit SEP proposal in June, 2005.</b>
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.

11/07/01	Sir Fredericks, Inc.	5	Order/Penalty	UT	Wornson	<b>Tier 2 submitted. CADR required. Negotiating penalty. Refer to DIA.</b>
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/09/02	Roger Eblen; Roger Eblen Development; Duane Menke	4	Order/Penalty	WW	Tack*	Hearing continued. Settlement discussions with one party. Motion for default vs. Eblen filed 11/26/03 and granted 12/3/03. Motion to set aside default filed. 3/25/04 – FO met on-site with Eblen. Plan of action to be submitted.
1/18/02	Robert Ward	6	Order/Penalty	WW	Tack	<b>Hearing set for 7/29/05.</b>
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule.
1/29/02	Partners Four Investments, Inc.	2	Order/Penalty	UT	Wornson	Tier 2 accepted high risk. Negotiating penalty as condition of completion of further corrective action. Meeting with RP and consultant 9/27/04.
2/20/02	Storm Lake, City of	2	Permit Conditions	WW	Hansen	3/03 – One year of

						TKN monitoring completed by City. 12/26/03 – Follow-up letter to City attorney regarding status of stream study. 1/04 – City attorney sent letter regarding stream study. 2/04 – Status report requested from Dept. staff. Per Dept. engineer – 3/29/04 City to perform more stream sampling. 6/15/04 – City report received – under review. 7/19/04 – WQ section reviewed stream study results and recalculated WLA and NPDES permit limits. 7/27/04 – WW permits staff to review WLA/permit limits. 8/31/04 – Update requested from WW permits staff. 9/04 – Update requested from WW permits staff. 10/29/04 – Dept. letter to City resolving issue of TKN monitoring. Case settled. 11/04/04 – City's letter agreeing to dismiss appeal upon issuance of NPDES permit with no TKN monitoring requirements.
6/03/02	Richard Caves; Charlotte Caves	5	Order/Penalty	HC	Tack	<b>Charlotte Caves sent to Revenue. Dismissal of order with respect to Richard Caves. Richard Caves referred to U.S. EPA. Case closed.</b>
7/10/02	Kevin Wallerich	6	Order/Penalty	SW/WW	Tack	9/03/04 – Onsite meeting resulted in settlement agreement.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from



						City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	4/30/04 – DNR letter sent.
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	3/1/04 – Appellant's attorney agrees to send another settlement letter to client.
9/03/02	Peter Cook	6	Order/Penalty	AQ/SW	Book	Settled. Awaiting clean-up and penalty payment.
10/01/02	Stan Siems	2	<b>Order/Penalty</b>	AQ/SW	Tack	<b>All tires have been removed. Follow-up inspection to be scheduled.</b>
10/02/02	Sioux City, City of	3	<b>Permit Conditions</b>	FP	Clark	4/30/04 – Dept. contacts City to confirm understanding that appeal will be withdrawn.
11/22/02	Schell Family Partnership	5	<b>Order/Penalty</b>	SW/HC	Tack	Waiting for engineer's cost estimates.
11/27/02	River City Development; Russell Hardy	2	<b>Order/Penalty</b>	UT	Wornson	Appeal untimely. Tiered assessment completed. CADR/Tier 3 initiated. General terms of a penalty settlement reached.
11/27/02	Chelsea, City of	5	<b>Order/Penalty</b>	WW	Hansen*	9/18/03 – DNR letter. Will monitor for compliance through winter of 2004.
1/29/03	A.R. Wendler; W.B. Contract Swine Production	3	<b>Order/Penalty</b>	AFO	Tack	<b>Settled. Awaiting return of consent order.</b>
2/10/03	Doug Osweiler	6	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	<b>Order/Penalty</b>	AFO	Clark	4/29/04 – Settlement invitation letter sent.
3/04/03	Iowa Select Farms; Swartz Finisher Farm	2	<b>Order/Penalty</b>	AFO	Clark	5/28/04 – Dept. makes counter offer in response to appellant's settlement offer. 6/15/04 – Second round of offers.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	<b>Order/Penalty</b>	AFO	Clark*	1/02/04 – DNR letter.
4/25/03	Ag Processing Inc.	2	<b>Permit Conditions</b>	AQ	Preziosi	Still negotiating. Requesting hearing be set.
5/15/03	Steve Walter d/b/a Walter & Son Waste Hauling	6	<b>Order/Penalty</b>	AFO	Clark*	9/1/03 – Facility being sold. Bankruptcy hearing 9/11/03. 1/02/04 – DNR letter to attorney. 5/12/04 – Appellant's response.
6/23/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Kerrigan Gilt/Union Co.)	5	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.

6/23/03	D & D Ag Enterprises LLC	4	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
7/01/03	Casey's General Stores (03-UT-03 through 03-UT-06)	4	<b>Order/Penalty</b>	UT	Wornson	Compliance achieved except negotiating penalty/SEP before filing.
7/10/03	Iowa Select Farms, L.P.; Iowa Select Farms, Inc. (Clarke/Union)	5	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
<b>7/14/03</b>	<b>Brad Taylor</b>	<b>4</b>	Order/Penalty	<b>AQ/SW</b>	Tack	<b>Consent order issued. Penalty received. Case closed.</b>
8/12/03	Southern Waste Handling, Inc.	5	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
8/12/03	Cargill (Sioux City)	3	<b>Variance Denial</b>	AQ	Preziosi	Negotiating before filing.
8/29/03	Country Living Mobile Home Park	5	<b>Order/Penalty</b>	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 5/05 – Status report requested from Dept. engineer.
9/02/03	Kent Kiburz	2	<b>Order/Penalty</b>	SW	Tack	Clean-up underway.
9/04/03	Easter Enterprises, Inc.	5	<b>Order/Penalty</b>	UT	Wornson	Compliance on non-penalty terms completed. Preparing settlement with non-appealing party, Rausch.
9/05/03	Strawberry Point, City of	1	<b>Order/Penalty</b>	WW	Hansen*	1/5/04 – City to upgrade facilities, compliance will be monitored through 2005.
9/25/03	Ag Processing Inc.	4	<b>Permit Conditions</b>	AQ	Preziosi	Still negotiating. Requesting hearing be set.
10/01/03	Casey's Marketing Co. UST#8606588, Jefferson	4	<b>Order/Penalty</b>	UT	Wornson	Compliance achieved. SEP proposed.
10/08/03	TEGH, Inc. (03-UT-15)	6	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
10/27/03	B & Food & Gas, Inc. (03-UT-12)	6	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
11/19/03	Harlan Clasen	3	<b>Order/Penalty</b>	AQ/SW	Tack	<b>Hearing set for 8/01/05.</b>
11/19/03	Ron Fisher Furniture	1	<b>Amended Order</b>	AQ	Preziosi	Negotiating before filing.
11/20/03	ADM – Clinton	6	<b>Permit Conditions</b>	AQ	Preziosi	Negotiating before filing.
11/21/03	Russell and Kay Barkema; K & R Construction	2	<b>Order/Penalty</b>	AQ/SW	Book	Consent amendment final. Payment plan on schedule.
12/02/03	Jeff Holland	2	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.

12/05/03	Boyer's Sand and Rock, Inc.; William Boyer	3	Order/Penalty	UT	Wornson	Settlement agreement sent 3/2/04, and again 4/28/04, no return. Hearing set for 5/20/05. Motion for default granted. Case closed.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Still negotiating. Requesting hearing be set.
12/22/03	Pocahontas, City of	3	Order/Penalty	WW	Preziosi*	4/06/04 – Settlement offer by City. 4/13/04 – Offer accepted by DNR. 5/26/04 – Fish restitution paid. SEP to be finalized.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	Negotiating before filing.
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	Negotiating before filing.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	Negotiating before filing.
2/23/04	American Shell Co., Inc.; James L. Peach		Order/Penalty	UT	Wornson	Sent letter with settlement deadline 2/14/05. Tier 2 completed. Settlement proposed, complete by June, 2005.
3/01/04	Shenandoah, City of	4	Order/Penalty	AQ/SW	Tack	Negotiating before filing.
3/04/04	Tim Trostel	2	Order/Penalty	AFO	Clark	Negotiating before filing.
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	6/04 – Dept. letter to City attorney regarding settlement.
3/15/04	Regional Environmental Improvement Commission of Iowa County	6	Order/Penalty	SW	Tack	Settlement offer sent 5/6/05.
3/16/04	Axtell Finishers; James Axtell	2	Order/Penalty	AFO	Clark	7/29/04 – Dept. reject Axtell's settlement offer and inquires if immediate transfer to DIA is desired.
3/23/04	Michael and Keri Sickles	4	Order/Penalty	SW	Tack	Clean-up completed. \$750 settlement offer

						sent 6/29/04.
3/24/04	Lake Place	2	<b>Order/Penalty</b>	WS	Book	<b>Unable to locate owner. Order will be rescinded.</b>
4/02/04	LeMars, City of	3	<b>Order/Penalty</b>	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	<b>Permit Conditions</b>	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	<b>Permit Conditions</b>	AQ	Preziosi	Still negotiating. Requesting hearing be set.
4/16/04	Ben Haven Mobile Home Park	1	<b>Order/Penalty</b>	WS	Clark	Negotiating before filing.
4/19/04	Richard Juhl	4	<b>Order/Penalty</b>	AQ/SW	Book	Referred to AG at 4/05 EPC meeting.
4/19/04	ADM – Clinton	6	<b>Permit Conditions</b>	AQ	Preziosi	Negotiating before filing.
4/23/04	Curt Kline; Connie Kline	4	<b>Order/Penalty</b>	AQ	Preziosi	Negotiating before filing.
4/26/04	Miles McDougal	3	<b>Order/Penalty</b>	AFO	Book	ALJ confirmed order with full penalty. Penalty plan in place and payments are on schedule.
<b>5/03/04</b>	Steven Grettenberg	<b>2</b>	Order/Penalty	<b>AFO</b>	<b>Book</b>	<b>Settled. Consent amendment signed and penalty paid. Case closed.</b>
5/04/04	West Central Cooperative	4	<b>Permit Denial</b>	AQ	Preziosi	Negotiating before filing.
5/06/04	Terry Nibbelink	3	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
5/11/04	Clark Partnership; Dennis Clark; Terrence Clark	3	<b>Order/Penalty</b>	AFO	Clark	<b>No petition filed. DNR filed for default. Awaiting decision.</b>
5/11/04	Williams Brothers Garage	4	<b>Order/Penalty</b>	WW/SW /AQ	Tack	<b>6/1/05 – New property owner is conducting the clean-up.</b>
5/12/04	Ag Processing, Inc.	3	<b>Permit Conditions</b>	AQ	Preziosi	Still negotiating. Requesting hearing be set.
5/12/04	Hunt Brothers; Chris Hunt	3	<b>Order/Penalty</b>	AFO	Book	Hearing set for 6/20/05.
5/13/04	Allen Hoepfer	1	<b>Order/Penalty</b>	AFO	Clark	<b>No petition filed. DNR filed for default. Awaiting decision.</b>
5/14/04	G & S Farms; Greg DeBoer	3	<b>Order/Penalty</b>	AFO	Book	Payment schedule in place and payments on schedule.
5/14/04	Rural Iowa Solid Waste Mgmt.	2	<b>Order/Penalty</b>	SW	Tack	<b>Settled. Waiting for return of settlement agreement and \$1,000 penalty settlement.</b>
5/18/04	Alton, City of	3	<b>Order/Penalty</b>	FP	Clark	Negotiating before

						filing.
5/25/04	CDI, LLC	6	<b>Permit Conditions</b>	AQ	Preziosi	Negotiating before filing.
5/26/04	Casey's Marketing Co. (5 locations)	5	<b>Order/Penalty</b>	AFO	Wornson	Compliance achieved. Negotiating SEP.
5/27/04	CDI – Charles City	2	<b>Permit Conditions</b>	AQ	Preziosi	Negotiating before filing.
5/28/04	Maquoketa Shoreline Development, Inc.	1	<b>Order/Penalty</b>	WW	Tack*	Negotiating before filing.
6/02/04	Racer's Bar and Grill	2	<b>Order/Penalty</b>	WS	Book	Settled. Payment plan on schedule.
6/09/04	Kevin Miller	1	<b>Operation Permit</b>	WS	Hansen	6/24/04 – FO1 letter to WS regarding permit requirements. 7/12/04 – Compliance with disinfection requirements initiated. 9/04 – Status report requested from FO regarding compliance. 3/17/05 – FO 1 reports that WS does not want to pursue appeal and they are complying with permit. WS to furnish letter dismissing appeal.
6/11/04	University of Iowa	6	<b>NPDES Permit</b>	WW	Hansen	Negotiating before filing.
6/11/04	Long Branch Maintenance Corp.	4	<b>Order/Penalty</b>	WS	Hansen	7/15/04 – Informal meeting to discuss settlement. Attorney for WS to respond by 8/27/04. 11/10/04 – Full penalty paid and engineering report submitted. Tentatively resolved. Hearing re-set for 7/22/05.
6/15/04	Environmental Solutions, Inc.	4	<b>Order/Penalty</b>	SW	Tack	<b>Settled. Waiting for return of consent order and \$2,500 penalty settlement.</b>
6/18/04	CDI – Charles City	2	<b>Title V Permit Determination</b>	AQ	Preziosi	Negotiating before filing.
6/18/04	Schmidt Distribution, Inc. d/b/a Shoppers Supply Co.	2	<b>Order/Penalty</b>	AQ	Preziosi	Negotiating before filing.
6/18/04	Phillip Renze	3	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
6/18/04	Doug Renze	3	<b>Order/Penalty</b>	AFO	Clark	<b>Sent to DIA to be set for hearing.</b>
6/24/04	Jansma Cattle Co., Inc.	3	<b>Order/Penalty</b>	AFO	Tack*	Negotiating before filing.
6/25/04	Eischeid Farms, Inc.	4	<b>Order/Penalty</b>	AFO	Clark	<b>Sent to DIA to be set for hearing.</b>
6/25/04	Steve Renze	3	<b>Order/Penalty</b>	AFO	Clark	<b>Sent to DIA to be set for hearing.</b>
6/28/04	Michael Veenstra; Alan Veenstra	5	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
6/28/04	Robin Hewer	6	<b>Order/Penalty</b>	AFO	Book	To be sent to DIA to be set for hearing.

6/28/04	Marvin Bates	6	<b>Order/Penalty</b>	AQ/SW/ WW	Tack	<b>Site visit to be scheduled.</b>
6/29/04	Imperial Properties	5	<b>Order/Penalty</b>	UT	Wornson	Negotiating penalty settlement. Set for hearing 6/06/05.
7/15/04	Dean and Sharon Gettler	4	<b>Order/Penalty</b>	AFO	Book	<b>Default entered.</b>
7/16/04	Ed Cook	3	<b>Order/Penalty</b>	AQ	Book	Negotiating before filing.
7/20/04	Chad Kooima	3	<b>Order/Penalty</b>	AFO	Book	Hearing set for 6/27/05.
7/26/04	B & B Sandhill Swine	1	<b>Order/Penalty</b>	AFO	Clark	<b>Sent to DIA to be set for hearing.</b>
7/26/04	Randy Gergen	3	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
7/27/04	John Hansen Farms	3	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
7/27/04	Steve Van Utrecht	5	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
8/02/04	James Vermeer	3	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
8/02/04	Dennis Rowenhorst	3	<b>Order/Penalty</b>	AFO	Book	To be sent to DIA to be set for hearing.
8/06/04	Eldora, City of	1	<b>Permit Conditions</b>	WW	Hansen	Negotiating before filing.
8/17/04	Harold Dekkers	3	<b>Order/Penalty</b>	AFO	Book	<b>Hearing set for 8/29/05.</b>
8/19/04	F.J. Krob & Co.	1	<b>Order/Penalty</b>	HC/WW	Tack*	Negotiating before filing.
8/26/04	Jim Schmitz	3	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
<b>8/30/04</b>	<b>Brad Dirksen</b>	<b>3</b>	Order/Penalty	<b>AFO</b>	<b>Book</b>	<b>Settled. Penalty and MMP dismissed. Case closed.</b>
8/30/04	Don and Bill Adam, Inc.	6	<b>Order/Penalty</b>	AFO	Clark	To be sent to DIA to be set for hearing.
<b>8/30/04</b>	<b>Ames, City of</b>	<b>5</b>	Permit Conditions	<b>AQ</b>	<b>Preziosi</b>	<b>City withdrew appeal 3/18/05. Case Closed.</b>
9/01/04	Iowa State University	5	<b>Order/Penalty</b>	WW	Hansen	Negotiating before filing.
9/03/04	David Borchers	3	<b>Order/Penalty</b>	AFO	Book	<b>No petition was filed. Dept. filed for default. Awaiting decision.</b>
9/10/04	Tschiggfrie Excavating Co.	1	<b>Order/Penalty</b>	WW	Tack	<b>Follow-up inspection requested 5/19/05.</b>
9/14/04	JK Farms, Inc.	3	<b>Order/Penalty</b>	AFO	Clark	<b>Sent to DIA to be set for hearing.</b>
9/14/04	Bill Schrock	6	<b>Order/Penalty</b>	WW/SW	Tack	Negotiating before filing.
9/20/04	David Meyer	6	<b>Order/Penalty</b>	AFO	Book	Hearing set for 6/27/05.
9/21/04	P & W Egg Co.	4	<b>Order/Penalty</b>	AFO	Book	<b>Hearing set for 8/30/05.</b>
9/29/04	EnviroBate	4	<b>Order/Penalty</b>	AQ	Book	<b>Meeting schedule for 5/31/05. Meeting to be rescheduled at the request of EnviroBate.</b>
10/04/04	Rose M. Bartles	4	<b>Order/Penalty</b>	AQ/SW	Tack	Negotiating before filing.

10/05/04	Mike Teske; Teske Pork	2	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
10/08/04	Goose Lake, City of	6	<b>Order/Penalty</b>	WS	Hansen	Negotiating before filing.
10/12/04	Gary Hart	6	<b>Order/Penalty</b>	AQ/SW	Tack	Negotiating before filing.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	<b>Permit Conditions</b>	WW	Clark	Negotiating before filing.
10/14/04	Linn Grove Hatchery	3	<b>Order/Penalty</b>	AFO	Book	<b>Sent to DIA to be set for hearing.</b>
10/14/04	Garlen Perry; Paula and Percilla Lattin	4	<b>Order/Penalty</b>	AQ/SW	Book	Settled. Consent amendments awaiting signatures.
10/19/04	Cedar Rapids, City of	1	<b>Order/Penalty</b>	WW	Hansen*	Negotiating before filing.
10/21/04	Eugene Kramer	1	<b>Permit Denial</b>	WR	Clark	Negotiating before filing.
10/26/04	Monty Unkrich	6	<b>Order/Penalty</b>	AFO	Book	To be sent to DIA to be set for hearing.
10/26/04	S & V Fence & Deck Co.	6	<b>Order/Penalty</b>	AQ	Book	<b>Settled. Awaiting signed consent amendment.</b>
10/26/04	Puck Custom Enterprises; Natural Pork Production	4	<b>Order/Penalty</b>	AFO	Tack	<b>Settlement meeting to be set.</b>
11/02/04	Mike Elsbernd	1	<b>Order/Penalty</b>	AFO	Book	<b>Sent to DIA to be set for hearing.</b>
11/03/04	Patrick M. Pinney Contractors	3	<b>Order/Penalty</b>	AQ	Book	Negotiating before filing.
11/03/04	Greg Vanden Bosch; G & T Eggs	3	<b>Order/Penalty</b>	AFO	Book	<b>Hearing set for 8/30/05.</b>
11/03/04	Leland Heisdorffer	6	<b>Order/Penalty</b>	AQ/SW/WW	Tack	<b>Hearing held 4/25/05. ALJ decision issued 5/24/05. Order upheld but penalty reduced to \$5,000.</b>
11/05/04	Darrel Behrens; Kelly Behrens	3	<b>Order/Penalty</b>	AFO	Book	Sent to DIA to be set for hearing.
11/09/04	Donald Hopp	4	<b>Order/Penalty</b>	SW	Tack	<b>Clean-up is underway.</b>
11/10/04	Ted T. Smith	3	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
11/15/04	Acme Fuel & Materials	6	<b>Order/Penalty</b>	AQ	Book	Settled. Consent amendment in place, awaiting penalty payment.
11/19/04	Steve Bouchard	3	<b>Order/Penalty</b>	AFO	Book	<b>Sent to DIA to be set for hearing.</b>
<b>11/22/04</b>	Holstein Dairy	<b>3</b>	Order/Penalty	<b>AFO</b>	<b>Book</b>	<b>Settled. Penalty paid. Case closed.</b>
11/30/04	James Brown	3	<b>Order/Penalty</b>	AQ	Book	<b>Waiting to hear from parties on settlement offer.</b>
12/06/04	Keith Kruse	3	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
12/06/04	Jerry Vander Platts	3	<b>Order/Penalty</b>	AFO	Book	To be sent to DIA to be set for hearing.
12/06/04	O-C Trailers, Inc.	3	<b>Order/Penalty</b>	AQ/SW	Preziosi	Negotiating before filing.
12/07/04	Crestview MHP	5	<b>Order/Penalty</b>	WW	Hansen	<b>Hearing set for 6/24/05. 4/05 –</b>

						<b>Petition filed, continuance requested by MHP. 5/05 – Answer filed. Hearing reset for 7/13/05.</b>
12/10/04	IPSCO, Inc.	6	<b>Permit Conditions</b>	AQ	Preziosi	Negotiating before filing.
12/17/04	Greg Gerber	3	<b>Order/Penalty</b>	AFO	Book	<b>Sent to DIA to be set for hearing.</b>
1/03/05	Paul Rehder	3	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
1/04/05	Matt Gehling	4	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
1/05/05	S.J. Louis Construction	5	<b>Order/Penalty</b>	WW	Hansen	Negotiating before filing.
1/06/05	E & N Farms	3	<b>Order/Penalty</b>	AFO	Clark	Negotiating before filing.
1/07/05	Wayne A. Staab	3	<b>Order/Penalty</b>	AQ	Preziosi	<b>Hearing held 5/31/05.</b>
1/14/05	Russell Knobbe dba Knobbe Bros. Feedlot; Mello Knobbe	4	<b>Order/Penalty</b>	AQ	Preziosi	Negotiating before filing.
1/18/05	MKKS, LC (5 sites)	5	<b>Order/Penalty</b>	UT	Wornson	Settlement meeting held 3/07/05. Follow-up regarding non-penalty issues and penalty settlement.
1/19/05	Consolidated Energy	4	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
1/20/05	Pleasant Hill, City of	5	<b>Order/Penalty</b>	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05.
1/20/05	Monty Branstad	2	<b>Order/Penalty</b>	AQ/SW	Preziosi	Negotiating before filing.
1/24/05	Lawler, City of	4	<b>Order/Penalty</b>	WW	Hansen	Negotiating before filing.
<b>1/24/05</b>	<b>Jerome Loutsch</b>	<b>3</b>	Order/Penalty	<b>AQ</b>	<b>Preziosi</b>	<b>Order rescinded. Case closed.</b>
1/25/05	Jim Hawk Truck Trailers	6	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
1/31/05	James Karthan	5	<b>Order/Penalty</b>	AQ	Preziosi	Negotiating before filing.
2/03/05	Olsen Fuel Supply, Inc.	4	<b>Order/Penalty</b>	UT	Wornson	Negotiating before filing.
2/04/05	Honey Creek Campground	4	<b>Order/Penalty</b>	WW	Hansen	Negotiating before filing.
2/08/05	Crestview Mobile Home Park	5	<b>Permit Conditions</b>	WS	Hansen	<b>Hearing set for 6/24/05. 5/05 – Petition and Answer filed. Continuance requested by MHP. Hearing reset for 7/13/05.</b>
2/14/05	Rick Halma	3	<b>Order/Penalty</b>	AFO	Book	<b>To be sent to DIA to be set for hearing.</b>



2/15/05	Rock Valley Rural Water System	3	Permit Issuance	WR	Clark	3/15/05 – Appeal untimely. Case closed.
2/16/05	Rick Nikkel	5	Order/Penalty	AFO	Book	To be sent to DIA to be set for hearing.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	Negotiating before filing.
3/03/05	Ivan Kenney	4	Order/Penalty	AFO	Clark	Negotiating before filing.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Follow-up inspection requested 5/19/05.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC	6	Order/Penalty	UT	Wornson	Negotiating before filing.
3/16/05	S.K. Food and Gas, Inc.; DIWAN LLC	6	Order/Penalty	UT	Wornson	Negotiating before filing.
3/23/05	IPSCO (Muscatine)	6	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/23/05	Patrick Jones	3	Order/Penalty	AFO	Book	To be sent to DIA to be set for hearing.
3/25/05	Fran Oil Co. (2 AOs)	4	Order/Penalty	UT	Wornson	Negotiating before filing.
3/25/05	Genesis Two Holdings	1	Order/Penalty	UT	Wornson	Negotiating before filing.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
3/25/05	Colleen Weber	2	Order/Penalty	AQ/SW	Tack	Negotiating before filing.
3/31/05	Stewart Construction, Inc.	3	Order/Penalty	AQ/SW	Tack	Clean-up completed.
3/31/05	William Butterfield	2	Order/Penalty	AQ/SW	Preziosi	Negotiating before filing.
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	Negotiating before filing.
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	Negotiating before filing.
4/13/05	H & K Pony Express; Roger Holland	6	Order/Penalty	WW	Wornson	Negotiating before filing.
4/15/05	Reginald Parcel	6	Order/Penalty	AQ/SW	Preziosi	New case.
5/02/05	Goettsch Trucking and Seed Co.	3	Order/Penalty	HC	Wornson	New case.
5/12/05	Atlantic, City of	4	Order/Penalty	AQ/SW	Preziosi	New case.
5/20/05	Midwest Tennis & Track	4	Order/Penalty	AQ/SW	Tack	New case.
5/25/04	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	New case.

Iowa Department of Natural Resources  
Environmental Services  
Report of WW By-passes

During the period May 1, 2005 through May 31, 2005, 18 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

Month	Total	Avg. Length (days)	Avg. Volume (MGD)	Sampling Required	Fish Kill
October '04	9(8)	0.065	0.030	3	0(1)
November '04	11(4)	0.728	0.083	4	0(0)

December '04	7(11)	0.382	0.004	3	0(0)
January '05	6(5)	0.222	0.057	0	0(0)
February '05	9(10)	5.063	0.049	4	0(0)
March '05	9(7)	0.831	0.032	1	0(0)
April '05	14(8)	0.359	0.087	5	0(0)
May '05	18(9)	0.138	0.003	3	0(0)
June '04	7(6)	0.038	0.001	2	0(0)
July '04	3(5)	0.354	0.072	2	0(0)
August '04	13(2)	0.267	0.050	7	0(0)
September '04	5(4)	0.131	0.068	1	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1	1	4	2	2	8

<b>INFORMATIONAL ONLY</b>
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## GENERAL DISCUSSION

Wayne Gieselman said that we are considering another tour in August. Francis Thicke has invited the Commissioners to visit his dairy farm and tour a local hog finishing facility. The tours are optional. We are also looking at visiting Vedic City since we have given them energy and recycling grants. Another option would be Lake Darling, they have done a lot of cleanup on the watershed.

Also keep in mind, that we are organizing a tour of the Karst area in northeast Iowa on October 11<sup>th</sup> and 12<sup>th</sup>. This will be a two day bus trip. We intend to invite the Natural Resource Commission and the legislators that have been involved. This is not a part of the October Commission meeting.

Donna Buell suggested that the Commission visit the Okoboji area to see the tourism and how clean water makes a difference.

Wayne Gieselman asked the Commission if they want staff to work on a specific definition of common management? I expressed my reservations about changing the way we interrupt that without having some sort of public input session or rulemaking. We currently interpret common management as: who makes the call on the health care for the facility, who decides the dietary needs for the livestock, who makes the sales and marketing calls.

Henry Marquard said that the common ownership definition is good, I think the definition of common management could use some guidance.

Mary Gail Scott said that we could use some clarity and verbiage but I don't believe it will solve all the issues.

Darrell Hanson said that he does not believe this to be an environmental issue.

The commission will vote an appointment for the Mississippi River Parkway Commission at next month's meeting. Darrell Hanson, Henry Marquard and Mary Gail Scott said that they would be willing to serve on the Commission.

### **NEXT MEETING DATES**

July 18, 2005

### **ADJOURNMENT**

With no further business to come before the Environmental Protection Commission, Chairperson Darrell Hanson adjourned the meeting at 3:30 p.m., Monday, June 20, 2005.

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Jeffrey R. Vonk, Director

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Darrell Hanson, Chair

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Lisa Davis Cook, Secretary

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